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*Committee on Sermones
Genl Assembly of
1853*

A DIGEST

*2d. B. Smith
Thomson*

OF THE

ACTS OF THE SUPREME JUDICATORY

OF THE

PRESBYTERIAN CHURCH

IN THE UNITED STATES OF AMERICA.

COMPILED FROM THE RECORDS OF THE ORIGINAL SYNOD
OF NEW YORK AND PHILADELPHIA, AND OF
THE GENERAL ASSEMBLY FROM ITS
ORGANIZATION.

ARRANGED TO ILLUSTRATE THE CONSTITUTIONAL RULES OF THE CHURCH.

BY ORDER OF THE GENERAL ASSEMBLY.

PHILADELPHIA:
PRESBYTERIAN BOARD OF PUBLICATION,
265 Chestnut Street.

ERRATA.

Page 18. Omit "I." at head of last sentence.

" 20. Insert VIII. before "*Presbytery has a right.*"

" 21. Omit VIII. before "*Judicial power.*"

" 36. Under the caption "Form of Government," insert

For warrant drawn from this section for carrying judicial business directly to the highest court. See page 99:

" " Insert V. before "Being requested by a Synod."

" 40. Insert IV. before "*Who may preach.*"

" 55. " IV. before "The Rev. David Rice,"

" 66. " XV. before "Ought ministers."

" 82. After "Overture No. 2," add a * with this note—* See page 218.

" 91. For "civil" at end of 5th line from bottom, read "ecclesiastical."

PREFACE.

THE General Assembly of 1818 appointed Dr. Janeway, Dr. Neill, and Dr. Ely "to extract from the Records of the General Assembly, and of the late Synod of New York and Philadelphia, all such matters as may appear to be of permanent authority and interest, including a short account of the manner in which Missions have been conducted, and their success, that the same may be published for the information of ministers and people in our churches."

They reported the Digest the next year, and an edition of four thousand copies was printed. A new Digest has been in contemplation for nearly twenty years, and several committees have successively been charged with the duty of preparing one. The task was assigned to the Board of Publication by the Assembly of 1849.

The plan adopted in this work is to arrange the decisions of the Assembly in judicial cases, and on other important points, under the heads in the Form of Government and the Discipline which they serve to illustrate. Reference is thus made easy. In every case the exact words of the record are used, except in the preliminary statements, which for distinction are enclosed in brackets.

Various miscellaneous items are arranged alphabeti-

cally; and are followed by a chapter containing the rules and decisions, respecting the reception of ministers from foreign countries, corresponding bodies, and our own Presbyteries; and also respecting demission of the office, or withdrawing from our communion. Brief notices of the history of the Boards of the Church are added.

The Adopting Act of 1729 is inserted; the cases of prosecution for errors of doctrine are given at length, with whatever has a bearing on the momentous concern of "the faith of God's elect."

The work has required much labour, thought, and patience. Frequent and careful reviews of the Minutes and Records of proceedings, stretching almost through a century and a half, have secured according to the original design, "all such matters as seem to be of permanent authority and interest." Simplicity of plan, accuracy of detail, fulness in all things necessary, and convenience in use, have been the steady aim in the compilation.

The Presbyterian Board of Publication, in presenting this new Digest to the churches, as a matter of justice state, that the preparation of it was entrusted to the Rev. Richard Webster, of Mauch Chunk, Pa., who has expended much time and labour in bringing it to its present degree of perfection.

EDITOR OF THE BOARD OF PUBLICATION.

DIGEST, &c.

OF DEACONS.

[Form of Government, Chapter VI.]

THE Committee on Overture No. 4, viz. A reference from the Presbytery of West Tennessee, requesting an answer to the following question, viz. What are the nature and duties of the office of Deacon?—made the following report, which was adopted, viz.

“We reply—the answer we conceive to be explicitly given in our Form of Government, Chapter vi. Their duties there are plainly made to consist in distributing the charities of the church to which they belong, to the poor of that church. Over charities collected for any other purpose than those specified, their office gives them no control. In addition to this, the temporalities of the Church generally may be committed to their care.”—*Minutes*, 1833, p. 490.

OF THE CHURCH SESSION.

[Form of Government, Chapter IX.]

II. *Can a Minister with one Elder form a session capable of transacting judicial business?*

[The inquiry “is sufficiently answered in the Constitution, Form of Gov., Ch. ix., Sec. 2, where it seems

to be implied that cases may occur with infant or feeble churches, in which it would be impracticable for a time to have more than one elder, and yet be necessary to perform acts of a judicial character. For such, the Constitution provides; but if there be more than one elder, then two at least, with a minister are necessary to form a session.”]—*Minutes*, 1836, p. 263.

III. “On motion, Overture No. 8, was taken up, viz. From the Presbytery of Tombeckbee, the question: Is it orderly that a member of one Presbytery moderate a church session of another Presbytery?—which question the Assembly answered in the affirmative.”—*Minutes*, 1843, p. 198.

The same Committee reported on Overture No. 10, from the Presbytery of Columbus, inquiring:

1st. Is it orderly for a session under the care of one Presbytery, to request a minister of another Presbytery to moderate them, without first obtaining leave from their Presbytery?

2d. Is it constitutional for a minister to moderate a session under the care of a different Presbytery from his own, without first asking and obtaining leave of the Presbytery having jurisdiction over said session?

Recommending the following minute, which was adopted, viz.

“*Resolved*, That the last Assembly in deciding that a session may invite a minister of another Presbytery to sit as their Moderator, did not include any of those cases in which it is required either in express terms, or by plain implication, (Form of Gov. Ch. ix. Sec. 3 and 4,) that the moderator shall be of the same Presbytery as the congregation; but are of the opinion that in cases of a different kind, for which no provision is made, a member of another Presbytery may be invited to act as moderator, if it be found to be expedient.”—*Minutes*, 1844, p. 359.

VI. The Docket was taken up, and Overture No. 8, from the Synod of Cincinnati, on Instrumental Music,

was read, and the following minute, recommended by the Committee of Bills and Overtures, was adopted, viz.

“*Whereas*, By our Constitution (Form of Gov., Ch. ix. Sec. 6, and Directory for Worship, Ch. iv. Sec. 4,) the whole internal arrangement of a church, as to worship and order, is committed to the minister and session, therefore

“*Resolved*, That this Assembly do not feel themselves called upon and obliged to take any further order on this subject, but leave to each session the delicate and important matter of arranging and conducting the music as to them shall seem most for edification, recommending great caution, prudence, and forbearance in regard to it.”—*Minutes*, 1845, pp. 21, 22.

VIII. *Examination of Sessional Records.*

The following resolution was submitted to the Assembly, and after a long discussion, was adopted, viz.

“*Whereas*, It appeared in the course of the free conversation on religion, that in one of the Presbyteries under the care of the General Assembly, the sessional records of the several church sessions were not regularly called up and examined every year by the said Presbytery, and there is reason to believe that other Presbyteries had conducted in the same manner, therefore

“*Resolved*, That it be and it hereby is required of all the Presbyteries within the bounds of the General Assembly, annually to call up and examine the sessional records of the several churches under their care, as directed in the Book of Discipline.”—*Minutes*, 1809, p. 429.

The Committee appointed to consider the order of the last Assembly, respecting the examination of session books; and also, the remonstrance of the Presbytery of Philadelphia, requesting the Assembly to review said order, brought in their report, which was read and adopted, and is as follows, viz.

“The Assembly, after seriously reviewing the order of the last Assembly, and maturely deliberating on the remonstrance of the Presbytery of Philadelphia against it, can by no means rescind the said order, inasmuch as they consider it as founded on the Constitution of our Church, and as properly resulting from the obligation on the highest judicatory of the Church to see that the Constitution be duly regarded; yet, as it is alleged, that insisting on the rigid execution of this order, with respect to some of the church sessions, would not be for edification, the Assembly are by no means disposed to urge any Presbytery to proceed, under this order, beyond what they may consider prudent and useful.”—*Minutes*, 1810, p. 453.

IX. Overture No. 7, from the Presbytery of Miami, the question, Whether ordained ministers of the gospel ought not to be considered church members, and to have their names enrolled on the sessional records of the churches where they are settled as pastors or stated supplies?—which question the Committee recommended to be answered in the negative. After debate the recommendation was adopted.—*Minutes*, 1843, p. 176.

The Judicial Committee reported that, by permission of the General Assembly, a complaint was presented to them by the Rev. Dr. Ashbel Green, in behalf of a minority, against a decision of the Synod of Philadelphia, recorded on the Synod Book, page 168; by which complaint the following question is presented for the decision of the Assembly, viz.

“Is it consistent with the Constitution of this Church for the same individual to hold the office of ruling elder in two different churches at the same time?”

[The Synod of Philadelphia having, by a vote of 30 to 27, refused to adopt the following resolution, offered by Dr. Green, twenty-five ministers and two elders dissented and complained:]

“It is not contrary to the Constitution of this

Church that the same person should exercise the office of ruling elder in two different congregations; they are far from thinking such a measure generally expedient, but judge it may lawfully take place in the formation of new congregations, and in some cases where it may manifestly subserve the interests of religion.”*

The complainants were heard in support of their complaint; the Synod was heard in defence of their decision, and the complainants concluded with a reply, when it was

Resolved, By the Assembly, that the decision of the Synod be affirmed and the complaint dismissed. *Minutes*, 1827, p. 118.

Overture No. 14, viz. the following question from the Presbytery of Salem:—“Has a ruling elder, in any case, a legal right to adjudicate in another church than that of which he is an elder”—was taken up and decided in the negative.—*Minutes*, 1831, p. 175.

OF THE PRESBYTERY.

[Form of Government, Chapter X.]

II. The Committee to which was referred the Overture from the Presbytery of Baltimore, in the following words, viz. “Are ministers without charges, constituent members of our Church judicatures, and have they an equal vote with settled pastors and ruling elders of congregations in ecclesiastical governments?”—reported, and their report being read and amended, was adopted, and is as follows, viz.

“In the judgment of this Assembly, this question is answered affirmatively, Ch. ix. Sec. 2, of the Form of Government of the Presbyterian Church, in these words:—‘A Presbytery consists of all the ministers and of one ruling elder from each congregation in a certain district.’”—*Minutes*, 1816, p. 615.

* See MSS. Record of Synod of Philadelphia.

The duty of Presbyteries to their members residing out of their bounds.

The same Committee, to whom was referred also an Overture from the Synod of Albany, in regard to non-resident members of Presbyteries, made the following report, which was adopted; viz.

In conformity with the Overture from the Synod of Albany, the Committee would recommend to the Assembly the adoption of the following resolution, viz. "*Resolved*, That it be enjoined on the Presbyteries to inquire carefully in regard to any of their members, who may be residing without the bounds of their respective Presbyteries, whether there be sufficient cause for such non-residence; and if not, that measures be taken to transfer the relation of such ministers to the Presbyteries, in the bounds of which they reside."—*Minutes*, 1836, p. 272.

"Permanent ministerial connection with any Presbytery, except that in whose bounds the individual lives, is irregular and disorderly, and ought not to be allowed; but where the residence is not in the bounds of any of our Presbyteries, (as in the case of foreign missionaries,) the connection may be with either of them."—*Minutes*, 1842, p. 29.

When in defining bounds, a congregation is placed under the jurisdiction of a Presbytery on account of convenience of intercourse, though lying out of its bounds, but adjacent thereto; the district in which such congregation is situated remains, unless expressly transferred, under the jurisdiction of the Presbytery, to which the congregation originally belonged.

Complaint being made that a member of Winchester Presbytery had organized a second church in Alexandria, without the consent or countenance of Baltimore Presbytery.

I. Inasmuch as the order of the General Assembly of 1792, respecting the bounds of the Synods of Philadelphia and Virginia, placed the congregation of Alexandria, and no other, on the south side of the

Potomac, within the bounds of the Synod of Philadelphia; therefore,

“*Resolved*, That the second congregation of Alexandria properly belongs to the Presbytery of Winchester, and that the said Presbytery, in receiving the second congregation under their care, are guilty of no infringement of the jurisdiction of the Presbytery of Baltimore.”—*Minutes*, 1819, p. 704.

III. *Right of Elders in Presbytery.*

“Mr. Edmundson being present as a representative of Patuxent, and their minister absent, it was put to the vote whether the said Mr. Edmundson should act here as a representative, notwithstanding the minister’s absence, and carried in the affirmative *nem. con.*”—*Minutes*, 1716, p. 40.

IV. Overture No. 4. An overture from the Presbytery of Miami, inquiring, “Where one minister is supplying two congregations, in one of which he labours as installed pastor, and in the other as stated supply, has each of these congregations a right to be represented by a ruling elder at the same meeting of Presbytery?” The committee recommended the following resolution, which was adopted, viz.

“*Resolved*, That the question be answered in the affirmative.”—*Minutes*, 1847, p. 377.

Overture No. 5. An overture from the Synod of Mississippi, asking, “When two or more congregations have separately called one and the same minister to become the pastor of each church, and he accepts these calls, and is installed over these congregations as pastor, are these churches entitled to one or more elders to represent them in Presbytery?” The committee recommended the following resolution, which was adopted, viz.

“*Resolved*, That the question be answered in the negative.”—*Minutes*, 1847, p. 377.

V. *Every vacant church entitled to a lay representative in Presbytery.*

“Should every congregation be considered as vacant which is not united to any minister in the pastoral relation, and if it should, is not every such congregation entitled to be represented by a ruling elder in Presbytery?”

Resolved, That from a comparison of Sections 3 and 5 of Chap. x. Form of Government, it is evident that every congregation without a pastor is to be regarded as a vacant congregation, and consequently if regularly organized, is entitled to be represented by a ruling elder in a Presbytery.—*Minutes*, 1843, pp. 190, 196.

VII. *Quorum of Presbytery.*

The Committee of Bills and Overtures, reported Overture No. 20, from Alexander Smith, a question: “Is it the opinion of the General Assembly, that it is implied in Sec. 7, Chap. x. of the Form of Government, that Presbyterian business cannot be transacted without the presence of one ruling elder at least?”

Overture No. 20, was taken up, and after debate, the resolutions, submitted by the Committee of Bills and Overtures, were adopted as follows, viz.

Resolved, That any three ministers of a Presbytery, being regularly convened, are a quorum competent to the transaction of all business, agreeably to the provision contained in the Form of Government, Chap. x, Sec. 7.”—*Minutes*, 1843, pp. 190. 196.

Presbytery has a right to judge of the qualifications of their own members.

“Your committee doubted the correctness of the order given by the Synod to the Presbytery of Geneva, to reconsider their proceedings on the subject of the admission of the Rev. Shipley Wells, a constituent member of that Presbytery, which order, though it be

not appealed from, appears to have given rise to the protest in question.

The Synod of Geneva were beyond doubt, in the opinion of your committee, competent to censure the Presbytery of Geneva, for admitting hastily or on slight evidence, into their body, an unworthy, or even a suspicious character. But it is, in the opinion of your committee, equally clear that the right of deciding on the fitness of admitting Mr. Wells, a constituent member of the Presbytery of Geneva, belonged to the Presbytery itself; and that having admitted him, no matter how improvidently, their decision was valid and final. The individual admitted became a member in full standing; nor could the Presbytery, though it should reconsider, reverse its own decision, or in any way sever the member so admitted, from their body, except by a regular process."

[The report was adopted, and the Records of the Synod of Geneva, were approved, with the exception of the above order.]—*Minutes*, 1816, pp. 611, 612.

VIII. *Judicial power cannot be delegated to a special Session or Committee.*

[The Presbytery of Miami appointed a special session composed of elders belonging to different congregations, for the purpose of trying Mr. Lowry, an elder, and the decision of the special session was affirmed by the Synod of Ohio.] "All the proceedings in the case are reversed on the ground that the appointment of such a special session is unconstitutional."—*Minutes*, 1823, p. 149.

"Having heard the memorial of the Synod of Ohio, complaining of the decision of the last Assembly, after mature deliberation, this Assembly concurs in opinion with the last General Assembly, that the special session appointed by the Presbytery of Miami, for the trial of S. Lowry, was an unconstitutional court, and that all the proceedings of that body in this case, and of the Presbytery of Miami, and of the Synod of Ohio, sanc-

tioning the acts of that body, are irregular. And the allegation of the Synod, in their memorial, that this body, though called a session, was in reality no more than a Committee of Presbytery, is incorrect; for they are not only denominated a session, but they performed the acts which belong peculiarly to a church session; they sat in judgment on a member of the church, and an elder, and condemned and suspended him; but no Presbytery has authority, according to the Constitution of our Church, to delegate to a committee, a power to perform such acts as these.”—*Minutes*, 1824, p. 213.

Subject of Commissions regarded as an open question.

Resolved, That the Records of the Synod of Virginia be approved; while in so doing the Assembly would be understood as expressing no opinion on the question, decided by the Synod, in reference to the authority of the Presbyteries of Winchester and Lexington, to appoint Commissions in the cases alluded to, in the Records of the Synod.—*Minutes*, 1846, p. 210.

Overture No. 16. An inquiry from Zion church, Pontotoc county, Mississippi,

“Has a Presbytery the constitutional right to divide a church, where a majority of the members of said church are opposed to its division?”

The committee recommended the following resolution, which was adopted, viz.

“*Resolved*, That where the minority request it, and the Presbytery has reason to believe that the interests of religion will be promoted by it, the Presbytery has the right to form the minority into a new congregation.”—*Minutes*, 1848, p. 29.

The following question was overtured:

“Is a Presbytery constitutionally censurable at the bar of a Synod for receiving under their care a con-

gregation which has been dismissed by the Presbytery to which it formerly belonged?"

"*Resolved*, That it is unconstitutional for a Presbytery to dismiss a congregation under their care, and for any other Presbytery to receive the congregation so dismissed, without the approbation of the Synod to which such Presbyteries respectively belong."—*Minutes*, 1823, p. 149.

The committee to whom was referred Overture No. 14, viz. "Is a minister of the gospel, in our connection, *ex officio* authorized to organize churches in the bounds of Presbyteries, without any previous order of Presbytery directing such organization?"—made a report recommending the following resolution, which was adopted, accordingly, viz.

"*Resolved*, That except in frontier and destitute settlements, where by Form of Gov. Chap. xv. Sec. 15, it is made a part of the business of Evangelists to organize churches; and, except in cases where it is exceedingly inconvenient to make application to a Presbytery, (for which, provision is made in the act of Assembly of 1831,) it is not the prerogative of a minister of the gospel to organize churches without the previous action of some Presbytery, directing or permitting it; since in Form of Gov. Chap. x. Sec. 8, to form new congregations, is enumerated among the powers of a Presbytery; and since in Chap. iv., of Bishops or Pastors, no mention is made of any such power being lodged in the hands of an individual minister."—*Minutes*, 1833, p. 496.

X. *Only the Moderator of the last stated meeting is authorized to call a special meeting.*

The Records of the Synod of Mississippi are approved, "with the exception that the Synod acknowledges the constitutionality of a meeting of the Presbytery of Clinton, that had been called by a moderator chosen *pro tempore* at a previous *pro re nata* meeting, instead of being called by the moderator

appointed at the last stated meeting of the Presbytery.”—*Minutes*, 1842, p. 28.

Overture No. 13. An Overture from members of the Presbytery of Missouri, asking the Assembly to appoint the time and place of their next regular meeting, inasmuch as they failed to meet according to adjournment.

The committee recommended the following answer, viz.

“That while they are competent themselves to secure this object, by calling a *pro re nata* meeting, in order to fix the time for a regular meeting, as well as for any other specified business; yet, for their convenience at this time, the Assembly fix the time specified by the memorialists, viz. the third Tuesday of June next ensuing, for their next regular meeting at the town of Columbia. The recommendation was adopted.”—*Minutes*, 1849, p. 246.

Presbyteries may meet out of their geographical limits.

“Resolved, That whilst it would be inexpedient and wrong for the Synod to order a Presbytery to meet beyond its own bounds, without the express consent of its members, we see no constitutional or valid objection against a Presbytery agreeing to meet without its own geographical limits.”—*Minutes*, 1848, p. 60.

XI. *A minister of another Presbytery may preach the opening sermon.*

The Presbytery of Madison, at a certain meeting in the absence of the Moderator, invited a minister from another Presbytery to preach the opening sermon. This act the Synod of Indiana condemns as unconstitutional; the Assembly is of “opinion that the Presbytery by so doing, violated no principle of the Constitution.”—*Minutes*, 1849, p. 250.

XII. The Record should state the ecclesiastical body to which the persons belong who are invited to sit as correspondents.

The neglect has frequently been noticed and disapproved by the Assembly.—*Minutes*, 1815, p. 578.—*Minutes*, 1840, p. 296.



OF THE SYNOD.

[Form of Government, Chapter XI.]

I. [The section originally stood: “A Synod is a convention of several Presbyteries;” it was held that the members could not proceed to business as a Synod unless there were present several Presbyteries; i. e. unless there were present at least three ministers from one Presbytery and three from another.—*Minutes*, 1804. note p. 304.]

In 1795, two ministers of Philadelphia Presbytery, one minister and one elder of New Castle Presbytery, two ministers and one elder of Baltimore Presbytery, and thirteen ministers and three elders of Carlisle Presbytery, met according to adjournment and decided that the members present were not sufficient to form a quorum of Synod, agreeably to the Constitution.

The Assembly determined that the members who met at York, were not competent to form a Synod, because there were not present three ministers from any two Presbyteries distinctly considered.—*Minutes*, 1796, p. 110.

An amendment was sent to the Presbyteries in 1804, making a Synod consist, not of Presbyteries, but of Bishops and Elders; and was adopted in 1805.]—*Minutes*, 1804, p. 304; *Minutes*, 1805. p. 333.

“Has an elder whom the discipline of our church authorizes to sit as a member in Presbytery from a

vacant congregation, or united congregations, a right by that discipline to sit in Synod as a representative of such congregation or congregations?"

"The vote being taken, it was decided in the affirmative."—*Minutes*, 1808, p. 403.

IV. *A Synod has no right to try a minister whose case has not come before them on reference or appeal.*

"The Assembly having maturely considered the appeal of Mr. Davis, from the proceeding of the Synod of the Carolinas in his case, *Resolved*, That although they highly approve of the zeal of the Synod to preserve the purity and peace of the Church within their bounds, yet they cannot but decide that in their proceedings in the above case, in deciding that they had a right to try Mr. Davis, when there was no reference or appeal in his case before them, they have not strictly adhered to the Constitution of the Presbyterian Church."—*Minutes*, 1810, p. 448.

A Synod may condemn the errors of a book published by one of its members, in the absence of the author.

[Dr. Alexander, Dr. Hill and Mr. William Gray, of Miami Presbytery, brought in a minute which was adopted as expressive of the Assembly's opinion on the appeal of the Rev. Thomas B. Craighead. The Presbytery proceeded regularly to cite him, and he having written to excuse himself for not attending, they proceeded to the trial, and having gone through the evidence, referred the case to the Synod. The Synod met immediately after the Presbytery and took up the case and suspended Mr. Craighead, though he was not present nor informed of the transfer of his cause to a higher tribunal.] This was disapproved, especially as "No injury would have been sustained by delay, for the Synod might have proceeded instantly to condemn the errors of his book, as the General Assembly did in the case of the Gospel Plan of W. C. Davis; the

process against the author did not commence till some time afterwards.”—*Minutes*, 1824. p. 219.

A Synod having received a Presbytery, adjoining its bounds, which had been organized by direction of the Assembly, and attached to another Synod, the Assembly approved its action, and transferred the Presbytery.

“*Resolved*, Whereas the last General Assembly directed the formation of the Presbytery of the Creek Nation, and attached the said Presbytery to the Synod of Mississippi; and whereas the said Presbytery is adjoining the Synod of Memphis, which has received it under its care; that the proceedings of the said Synod in the premises be approved, and that the said Presbytery be attached to the Synod of Memphis.”—*Minutes*, 1849, p. 248.

Presbyteries without geographical limits are not to be erected.

“*Resolved*, That except in very extraordinary cases, this Assembly are of the opinion that Presbyteries ought to be formed with geographical limits.”—*Minutes*, 1834, p. 27.

“*Resolved*, That the erection of Church courts, and especially of Presbyteries and Synods, on the principle of ‘Elective Affinity,’—that is, judicatories not bounded by geographical limits, but having a chief regard in their erection to diversities of doctrinal belief and of ecclesiastical policy, is contrary both to the letter and the spirit of our Constitution; and opens a wide door for mischiefs and abuses of the most serious kind. One such Presbytery, if so disposed, might in process of time fill the whole Church with unsound and schismatic ministers, especially if the principle were adopted that regular testimonials must of course secure the admission of those who bore them into any other Presbytery. Such a Presbytery, moreover, being without geographical bounds, might enter the limits and disturb the repose of any church, into

which it might think proper to intrude; and thus divide churches, stir up strife, and promote party spirit and schism with all their deplorable consequences.”—*Minutes*, 1835, p. 28.

A Presbytery may not vote in Synod on the question of the approval of their records.

[The records of the Synod of Geneva contain a protest against a decision of the Synod excluding Geneva Presbytery from voting on the question, whether their own Records should be attested by the Moderator as approved.] “The Assembly is of the opinion that the decision of the Synod was consonant to the prevalent usage of the judicatures of the Presbyterian Church, as well as to the usage of other analogous bodies in similar cases, and that it ought therefore to be approved.”—*Minutes*, 1816, p. 611.

The Records of the Synod of Kentucky are approved except “that the members of the West Lexington Presbytery voted in approbation of their own proceedings, which is deemed to be irregular.”—*Minutes*, 1821, p. 16.

A Presbytery may not vote on the adoption of the report of the Judicial Committee on a complaint or appeal from its decision.

“That the Synod [of Mississippi] acted unconstitutionally in permitting the Presbytery of Louisiana to vote on the adoption of the report of the Judicial Committee on the complaint of Rev. Mr. Smylie.”—*Minutes*, 1850, p. 481.

A Synod may censure a Presbytery for receiving a minister but may not order them to reconsider their proceedings in the case.—*Minutes*, 1816, p. 611. (See p. 20.)

The Synod of Philadelphia rebuked for urging its Presbyteries to guard against the introduction of Hopkinsian and other errors.

In reviewing the Records of the Synod, certain

parts of a pastoral letter were excepted to, and a resolution "which enjoins on the several Presbyteries belonging to the Synod to call to an account all such ministers as may be suspected to embrace any of the opinions usually called Hopkinsian." Against this decision two protests were entered.—*Minutes*, 1817, p. 653.

A Synod may not order a Presbytery to rescind their vote restoring a person under censure to the ministry.

The Records of the Synod of Geneva are approved, "except that part in which the Synod ordered the Presbytery of Onondaga to rescind their votes relative to the restoration of the Rev. John Shepherd to the gospel ministry."—*Minutes*, 1818, p. 688.

When a Presbytery is ordered to reconsider any proceeding, reasons for the order must be assigned.

The Records of the Synod of Ohio are approved, "with the exception of a minute disapproving of a decision of a Presbytery and ordering said Presbytery to reconsider that decision, without any reasons being assigned."—*Minutes*, 1827, p. 115.

A Synod is competent to receive and examine witnesses in support or disproof of a complaint against a Presbytery.

[The complaint of the minority of the Synod of Cincinnati against the Synod's decision in the case of the Rev. George Beecher, is] "sustained on the ground that the Synod was and is competent to receive and examine witnesses called before them to support or to rebut the charges preferred by the minority of the Presbytery of Cincinnati against the majority of said Presbytery."—*Minutes*, 1834. p. 40.

A Synod may order a Presbytery to meet to transact specified business at a certain place and time; but may not order a Presbytery to meet out of its geographical bounds, without the express consent of its members.

“The report of the Rev. Wm. M. Cunningham, on behalf of the Committee appointed by the last Assembly to report to this, on certain amendments in the Book of Discipline, was taken up and read and the accompanying resolutions adopted as follows:

1. *Resolved*, That Synod has power to order a Presbytery to meet and to transact such business as in the judgment of Synod is intimately connected with the good order and well being of the Church.

2. *Resolved*, That as such meetings are of the nature of *pro re nata* meetings, the rules that are laid down in our book for the regulation of such called meetings ought to regulate and govern in all cases these meetings ordered by Synod, except when ordered to meet during the sessions of Synod, on business immediately connected with the proceedings of that body. In such cases, the Presbytery may be required to meet at once by order of the Synod.

3. *Resolved*, That whilst it would be inexpedient and wrong for the Synod to order a Presbytery to meet beyond its own bounds without the express consent of its members, we see no constitutional or valid objection against a Presbytery agreeing to meet without its own geographical limits.—*Minutes*, 1848, p. 60.

A Synod may transcend its powers in dissolving a church.

[The Assembly deeming it inexpedient to dissolve the second Church of Peoria, directed the Synod of Illinois, in order to bring matters to a state of harmony and order, to appoint at its first meeting a Committee of men known to be of sound judgment, pacific in their character and not obnoxious to either of the churches in Peoria, to visit those churches and use their best endeavours to bring them together in one harmonious body. The Synod appointed a Committee and confirmed its proceedings in dissolving both the churches and organizing a new one, in opposition to the wishes of the First Church and the remonstrance of the Presbytery.]

“*Resolved*, (1) That the Synod of Illinois and its Commission erred by transcending their powers and the directions of the General Assembly of 1840, when they dissolved the First Church of Peoria.

(2.) That the Presbytery of Peoria be and is hereby directed to restore the name of the aforesaid First Church of Peoria to its roll, the same being, and it is hereby declared to be, a constituent part of the Presbytery of Peoria and of the Synod of Illinois.

(3.) That to prevent all future misconstruction, the Church of Peoria created by the Commission as approved by the Synod of Illinois, be and it is hereby recognized and declared to be the Second Church of Peoria.”—*Minutes*, 1842, p. 33.

The Commission of Synod.

“Overtured that a Commission of Synod be appointed to act in the name and with the whole authority of the Synod, in all affairs that shall come before them, and particularly that the whole affair of the fund be left to their conduct, and that they be accountable to the Synod, which overture was approved by the Synod and Masters George McNish, Jedediah Andrews, James Anderson, Samuel Pumry, Malachi Jones and Robert Cross were appointed for said Commissioners, any three of them to be a quorum.”—*Records*, 1721. p. 66.

A member of the Committee appointed to prepare an overture respecting a Commission, brought in a draught which being read and amended, was put to vote and carried by a large majority, and is as follows:

Whereas there have arisen doubts in the minds of some members respecting the utility and powers of what is called by us *the Commission*, the Synod proceeded to take this matter into consideration, and after due deliberation, in order to remove any scruples upon this head and prevent all future difficulties in this matter, do determine that the Commission shall continue and meet whensoever called by the Moderator at the request of the first nine on the roll of the Com-

mission, or a major part of the first nine ministers ; and when met, that it shall be invested with all the powers of the Synod, to sit by their own adjournments from time to time ; and let it also be duly attended to, that there can lie no appeal from the judgment of the Commission, as there can be none from the judgment of the Synod ; but there may be a review of their proceedings and judgments by the Synod ; and whensoever this is done, those who were members of the Commission shall be present and assist in forming all such judgments as the Synod may think proper to make upon any such review.—*Records*, 1774, p. 459.

[A judgment of the Session of Salem was confirmed by Abingdon Presbytery and brought by appeal before the Synod of the Carolinas, who remitted the case to a select Session,] “which appears to have been irregular.”—*Minutes*, 1791, p. 42.

[The Rev. Edward Crawford] “ought to have returned with the other Independent Brethren at the meeting of the Commission of Synod [of the Carolinas,] that he might have been restored to orderly standing.”—*Minutes*, 1798, p. 157.

[The whole subject of the power of ecclesiastical bodies to appoint Judicial Commissions was, after being under consideration two years, indefinitely postponed.]—*Minutes*, 1847, p. 384.

V. *Where a Synod has failed to meet on adjournment, the Moderator may call a meeting.*

“As it appeared from the representation of Ministers and Elders, assembled at Yorktown October 20, 1795, and signed Robert Davidson, that the Synod of Philadelphia did not meet according to its last adjournment, nor since the time to which it was adjourned, on motion

Resolved, That the Moderator of the Synod of Philadelphia the Rev. Dr. Robert Davidson, ought to be considered as competent to call a meeting of the same, and that he do accordingly call a meeting, to be held in the 3d Presbyterian Church in Philadelphia, on the

4th Wednesday of October next; and that he give due notice thereof by a circular letter to the Moderators of the several Presbyteries composing the said Synod, whose duty it shall be to acquaint the other members.

“*Resolved*, As the opinion of the Assembly, that from the nature of the thing, two or more members of any judicatory, meeting according to adjournment, may adjourn from day to day until a sufficient number attend for the transacting of business; and in case a quorum should not attend within a reasonable time, that the Moderator shall be considered as competent to fix any time and place he may judge proper for convening the body.”—*Minutes*, 1796, p. 113.

The Assembly being requested, appointed the time and place of meeting in such case.

“An overture from the Synod of Mississippi, requesting the Assembly to order the next annual meeting of that Synod to be held at Natchez on the second Wednesday of December next at 7 P. M., inasmuch as the Synod failed to meet at their appointed time and place for the last meeting, in consequence of cholera prevailing at the place, New Orleans. Also a memorial from the Presbytery of Louisiana, praying for the same thing. The committee recommended that the request be granted. The recommendation was adopted.”—*Minutes*, 1849, p. 247; also, 1850, p. 466.

The Assembly at the request of a Presbytery may change the place of the next meeting of Synod.

“A request from the Presbytery of Missouri, that the Assembly will change the place of the next stated meeting of the Synod of Missouri. The committee recommended that the request be granted, and that the next stated meeting of the Synod of Missouri be held at Boonville instead of Jefferson City, to which place it now stands adjourned, which was adopted.”

“Has the Moderator of a Synod a right to call a meeting of the Synod during the intervals of its stated sessions?”

“Resolved by the Assembly, that this question be answered in the affirmative.”—Minutes, 1829, p. 383.

“Your Committee observe, moreover, in pages 42, 43 [of the records of the Synod of Kentucky,] the record of a meeting of Synod, which was convened pursuant to a call of the Moderator, without a specification of the object for which they were convened.”—Minutes, 1823, p. 120.

“The Assembly took up the protest and complaint of a minority of the Synod of Virginia, against a decision of said Synod in favour of called meetings of Synod; the complainants and Synod were heard, after which it was resolved that the complaint be not sustained.—Minutes, 1832, p. 328.

There may be adjourned meetings of Synod.

“As there is an adjourned meeting of said Synod with a view to issue the business, the Assembly ought not judicially to interfere until it shall be decided upon by the Synod, and they hereby recommend to the Synod of the Carolinas, to continue their laudable and prudent endeavors, to bring the present dispute to a speedy issue.”—Minutes, 1797, p. 127.

The records of the Synod of the Carolinas “were approved as far as the end of the extraordinary session held at Little Britain, N. C., Feb. 7, 1799.”—Minutes, 1799, p. 176.

The Moderator may not postpone a regular meeting of Synod.

“Resolved, That the records of the Synod of North Carolina be approved with the exception of the postponement of the regular meeting of Synod by the moderator, which this Assembly consider irregular.”—Minutes, 1848, p. 36.

Neglect to have a sermon preached at the opening of the Synod, is censurable.

[The records of the Synod of Pittsburgh are approved with the exception] “that at the opening of the Synod, no sermon was delivered as the Constitution requires, but on the following evening.”—*Minutes*, 1827, p. 118.

VI. *Synodical Records.*

[The records of the Synod of Albany were approved with the exception that] “the Synod was opened without a sermon, whereas the Form of Government, Chap. xi. Sec. 5, requires that a sermon shall be preached.”—*Minutes*, 1843, p. 181.

“It is recommended to the Synods of Virginia and the Carolinas, to send attested copies of their minutes by their delegates to the Assembly yearly, whenever they find it inconvenient to send their books.”—*Minutes*, 1790, p. 23.

“*Resolved*, That the dispensation allowed to the Synods of Virginia and the Carolinas by the Assembly of 1790, to send up attested copies of their records instead of the records, be and it is hereby rescinded.”—*Minutes*, 1841, p. 423.

A transcript of the Records cannot be received.

[The Synod of West Tennessee having sent up a document] “which purports to be a true copy from the original record under the hand of the Stated Clerk; your Committee are of opinion that the document produced does not come up to the requirement of the Constitution, and they recommend that the Synod of West Tennessee be required to produce their original book of records for examination at the next General Assembly.” [The Report was adopted.]—*Minutes*, 1847, p. 381.

Defects in the Records.

The Records must describe the ecclesiastical body to which the ministers invited to sit as correspondents belong.—*Minutes*, 1815, p. 578; *Minutes*, 1840, p. 296.

The Presbyterian Reports must be recorded fully so as to exhibit in detail the changes which from time to time take place in the Presbyteries.—*Minutes*, 1811, p. 479.



OF THE GENERAL ASSEMBLY.

[Form of Government, Chapter XII.]

BEING requested by a Synod, the Assembly divided a Presbytery.

[An Overture was laid through the Synod of Philadelphia, before the Assembly, requesting a division of Carlisle Presbytery; and the Presbytery was divided by a line along the Juniata river from its mouth to the Tuscarora mountain, thence along that mountain to the head of Path Valley; thence westwardly to the eastern boundary of Redstone Presbytery, so as to leave Bedford congregation to the south; Carlisle Presbytery to lie south of the line, and Huntingdon Presbytery to lie north.]—*Minutes*, 1794, p. 89.

The Assembly on dividing a Presbytery at its request, the proposal not having been first laid before the Synod, gives reasons for its action, and declares that it shall not be used as a precedent.

[In investigating the application of Albany Presbytery for a division,] “circumstances were stated to exist which led the Assembly to judge such division proper, and perhaps necessary, at this time; and

whereas, doubts arose whether it was proper for the Assembly to interfere for the purpose of making such division, the proposal not having been first laid before the Synod, as it would establish a precedent which might tend to confusion, and in the end to schism; the Assembly think it expedient to declare that their decision in this case has been particularly influenced by the pressure of circumstances, and is not to be considered as forming a precedent for future conduct."—*Minutes*, 1802, p. 252.

"The Committee of Overtures laid before the Assembly a copy of a record of the Presbytery of Oneida, earnestly praying this Assembly to divide that Presbytery into two Presbyteries, to consist respectively of certain ministers and churches mentioned in said record.

"On motion, *Resolved*, That the request of the Presbytery be granted, and that Messrs. Romeyn, Chapman, Lewis, and Savage, be a committee to prescribe the limits of the Presbyteries to be formed, and direct the time and manner of their organization."—*Minutes*, 1805, p. 320.

Only in frontier settlements has the Assembly exercised this power.

The Presbytery of Huntingdon having applied for a division of their Presbytery, "*Resolved*, That the Presbytery make their application to the Synod to which they belong, being the most proper judicature to decide in the case."—*Minutes*, 1808, p. 399.

The Assembly has erected Presbyteries out of ministers and congregations lying in the bounds of contiguous Synods.

In the case of Chenango Presbytery.—*Minutes*, 1826, p. 21.

In the case of Luzerne Presbytery.—*Minutes*, 1843, p. 195.

Also in new Territories.

In the case of Michigan Presbytery.—*Minutes*, 1827, p. 120.

In the case of Wisconsin Presbytery.—*Minutes*, 1846, p. 194.

In the case of Creek Nation Presbytery.—*Minutes*, 1848, p. 21.

A Presbytery was erected, in opposition to the wishes of the Synod, and of the Presbytery which was dismembered, no territorial limits being assigned to it.

In the case of the Second Presbytery of Philadelphia.—*Minutes*, 1832, p. 321.

A Synod having remodeled its Presbyteries, the Assembly restored one which had been merged in another by the arrangement.

“The Committee appointed to form a minute expressive of the vote of the Assembly on the appeal and complaint of the second Presbytery of Philadelphia, reported the following resolution, which was adopted, viz.

Resolved, 1. That the appeal and complaint of the second Presbytery of Philadelphia, against the Synod of Philadelphia, be and the same are hereby sustained; and the act of said Synod, so far as it was intended to unite the said Second Presbytery with the Presbytery of Philadelphia, is hereby declared void.

2. That this resolution shall not be so construed as to affect the integrity of the Presbytery which was constituted under the order of the Synod of Philadelphia, by the name of the Second Presbytery of Philadelphia, in November last; but the same is hereby recognized as a constituent part of the Synod of Philadelphia. The Assembly, however, recommend to the Synod to change the name of said Presbytery.”
—*Minutes*, 1834, p. 17.

[The Assembly changed its name, and assigned territorial limits to it.]—*Minutes*, 1836, p. 278.

[The Assembly dissolved the third Presbytery of Philadelphia.]—*Minutes*, 1837, p. 472.

A Synod having dissolved one of its Presbyteries, the Assembly restored it.

“The Assembly took up the complaint of Mr. Gilbert, and Mr. Pickands, in behalf of themselves and other members of the late Presbytery of Wilmington, against the Synod of Philadelphia, for dissolving them, and a petition to be restored to their former state as a Presbytery.”

[After hearing the parties,] it was “*Resolved*, That the complaint be sustained, and the petition granted, and the Presbytery are hereby restored to the state in which they were at the time of their organization by the Synod, except that the church of New Castle, if they desire it, shall have the privilege of uniting with the Presbytery of New Castle.”—*Minutes*, 1836, p. 279.

In erecting Synods, the wishes of the Synods out of which they are to be formed, are regarded.

[The Assembly] “are of the opinion that the division of the Presbytery [of Albany,] ought to take place; but that the Presbyteries [to be formed] ought not to be constituted a Synod, until the Synod of New York and New Jersey shall be consulted on the subject.”—*Minutes*, 1802, p. 251.

“The Committee to which the petitions from the Presbyteries of New Lancaster, Washington, and Miami, were referred, reported, and their report being read, and the subject discussed at considerable length, was adopted, and is as follows, viz.

That although their knowledge of the circumstances of these Presbyteries, and of the vast extent of the bounds of the Synod of Kentucky, and their apprehensions of the interests and convenience of the churches in that region, would strongly recommend that the prayer of the petitioners be granted; yet, as the Synod of Kentucky is acknowledged by the petitioners to have decided against their request, and as this Assembly does not possess any official information from said Synod on this subject, the Assembly, in present circumstances, do not feel themselves at

liberty to make an immediate division of the Synod ; therefore,

Resolved, That the Assembly recommend to the Synod of Kentucky to reconsider their proceedings in this case, and if consistent with their views of the interests of the churches within their bounds, to take at their next meeting, the order necessary to open the way for a division of said Synod, by the General Assembly, or otherwise to exhibit to the next Assembly their reasons against the division."—*Minutes*, 1813, p. 532.

Who may preach and preside at the opening of the session of Assembly in the last Moderator's absence.

[The Moderator of the last Assembly being absent, the Assembly was opened at the request of the last Moderator present, with a sermon by Dr. Miller, a Commissioner.] "After sermon, the Stated Clerk called the house to order, and informed them that the Rev. Dr. Lindsley, the Moderator of the last Assembly, being absent, the duties of the chair devolved on the last Moderator, who is present, and has a Commission to sit in this Assembly ; and, therefore, he moved that the Rev. Nathan S. S. Beman, D. D., be called to the chair. This motion prevailed, and Dr. Beman took the chair, and constituted the Assembly with prayer."

"Thursday afternoon, 3 o'clock. The Assembly met. A motion was made to reconsider the vote by which Dr. Beman was called to the chair, on the ground that many voted in the apprehension that Dr. W. A. McDowell, the Moderator immediately preceding Dr. Lindsley, was not in the house, and that many others believed the rule of the house required the constituting Moderator to be in commission, which Dr. McDowell was not.

This motion, after considerable discussion, was adopted unanimously.

After some further remarks, it was agreed that the original motion of the Stated Clerk, should be again submitted to the house, and the vote be taken by him.

Whereupon Dr. Ely put the question—‘All who are in favour of sustaining the resolution passed in the morning, by which Dr. Beman was called to the chair, will signify it by saying aye.’ This motion was lost.

It was then moved that the Rev. William A. McDowell, D. D., being the last Moderator present, be requested to take the chair. This motion prevailed, and Dr. McDowell took the chair accordingly.”—*Minutes*, 1835, p. 3—7.

[The Moderator of the last Assembly, being absent, the Assembly was opened at his request with a sermon by Dr. R. J. Breckinridge, who being the last Moderator present, but not a member of the Assembly, took the chair after the sermon, and opened the session with prayer.]

“The Committee of Bills and Overtures, reported Overture No. 26, viz., the question, Whether any other person than the Moderator of the General Assembly immediately preceding, or a commissioner to the General Assembly about to convene, can preach and preside at the opening of the sessions of the Assembly?

On which subject the Committee submitted the following preamble and resolutions, which were adopted, viz.

Whereas, there exists a difference of opinion as to the proper person to open the sessions of the General Assembly, in case the Moderator of the Assembly immediately preceding be not present; therefore

Resolved, That it is the deliberate judgment of this General Assembly, that by the Constitution of our Church no person is authorized to open the sessions of the General Assembly, or to preside at the opening of said sessions, except the Moderator of the Assembly immediately preceding, or in case of his absence a Commissioner to the Assembly, selected for the purpose by the other Commissioners, met at the time and place fixed for said meeting.”—*Minutes*, 1843, p. 194.

The Committee of Commissions.

“*Resolved*, That the Permanent and Stated Clerks be and they hereby are appointed a standing Committee of Commissions; and that the Commissioners to future Assemblies hand their commissions to said Committee, in the room in which the Assembly shall hold its sessions, on the morning of the day on which the Assembly opens, previous to 11 o'clock, and further that all commissions which may be presented during the sessions of the Assembly, instead of being read in the house, shall be examined by said Committee and reported to the Assembly.”—*Minutes*, 1829, p. 384.

The Committee of Elections.

“The first act of the Assembly, when ready for business, shall be the appointment of a Committee of Elections, whose duty it shall be to examine all informal and unconstitutional commissions, and report on the same as soon as practicable.”—*Minutes*, 1826, p. 40.

Commissioners from new Presbyteries.

“*Resolved* 1. That no Commissioner from a newly formed Presbytery shall be permitted to take his seat, nor shall such Commissioner be reported by the Committee on Commissions, until the Presbytery shall have been duly reported by the Synod, and recognized as such by the Assembly; and that the same rule shall apply when the name of any Presbytery has been changed.

2. When it shall appear to the satisfaction of the General Assembly that any new Presbytery has been formed for the purpose of unduly increasing the representation, the General Assembly will by a vote of the majority refuse to receive the delegates of Presbyteries so formed, and may direct the Synod to which such Presbytery belongs to reunite it to the Presbytery or Presbyteries to which the members were before attached.”—*Minutes*, 1837, p. 446.

OF ELECTING AND ORDAINING RULING
ELDERS AND DEACONS.

[Form of Government, Chapter XIII.]

II. The Constitution designedly leaves the mode to be regulated by the usage of each congregation.

The Assembly in sustaining the complaint No. 4, a complaint of the Presbytery of Blairsville against the Synod of Pittsburgh, in reference to the condemnation or non-approval of the decision of said Presbytery, made October 2d, 1839, on an overture in the following words: "To whom belongs the right of deciding when an addition to the session is necessary, and how many are to be added?"

"The Committee appointed to draft a minute in relation to the decision of the complaint of the Presbytery of Blairsville, reported the following, which was adopted, viz.

The Assembly deem it proper, in sustaining the complaint of the Presbytery of Blairsville, to declare that they do it on the ground that the decision of the Synod of Pittsburgh, disapproving of the act of the Presbytery, if carried into effect, would render it necessary for the churches in that Presbytery, and any other within the bounds of that Synod whose practice may be the same, to change their usage as to the manner of electing ruling elders, which by the Constitution is left to be regulated by "the mode most approved and in use in each church." At the same time, the Assembly, in coming to this result, have no design to establish a uniform mode of electing elders throughout the Church, which is designedly left by the Constitution to be regulated by the usage of each particular church.

And it may be added, that in those churches in which the usage has prevailed, for the existing eldership to determine when and how large an addition shall be made to the session, the Church has an effectual security against the abuse of that power, in the

right of appeal or complaint secured by the Constitution.”—*Minutes*, 1840, p. 288, 305.

Where there is dissatisfaction with the usage, the congregation should be promptly convened to consider the expediency of changing it.

“While the Assembly would recognize the undoubted right of each congregation to elect their elders in the mode most approved and in use among them, they would recommend that in all cases where any dissatisfaction appears to exist, the congregation be promptly convened to decide on their future mode of election.”—*Minutes*, 1827, p. 130.

The Assembly recommends that a direct vote of the congregation be taken in the election of elders.

“They are inclined to believe that the spirit of our Constitution would be most fully sustained by having in all cases a direct vote of the congregation in the appointment of elders.”—*Minutes*, 1827, p. 130.

The custom of allowing persons not being communicants to vote, does not invalidate the election.

“The business left unfinished in the morning, viz., the consideration of the report of the committee to which was referred the appeal of Messrs. Lowrie and Kelso, from the decision of the Synod of Ohio, affirming the decision of the Presbytery of Miami, by which decision the Presbytery had pronounced the election of Messrs. Dillingham and Rice to the office of ruling elders in the Second Presbyterian Church of Cincinnati a valid election, was resumed and finished; and the report being amended and fully discussed, was adopted and is as follows, viz.

The General Assembly having gone fully into the consideration of the appeal from the decision of the Synod of Ohio by Messrs. Lowrie and Kelso, and having seen with deep regret the appearance of much disorder in the whole business, which they disapprove; believing as the Assembly do that the election of elders should be conducted with all due deliberation,

according to the letter of the Constitution of the Presbyterian Church, and in the spirit and temper of the gospel; although the Assembly are of the opinion that it would be most desirable to have the communicants only as the electors of ruling elders, yet as it appears to be the custom in some of the churches in the Presbyterian connection, to allow this privilege to others, they see no reason why the election be considered void, nor any reason why the decision of the Synod of Ohio should not be affirmed. Therefore, *Resolved*, That the sentence of the Synod of Ohio be, and it hereby is affirmed."—*Minutes*, 1822, p. 21.

"The Committee on Overture No. 1, viz., the following reference from the Presbytery of Steubenville: Ought an unbaptized person, who yet pays his proportion for the support of a congregation, to be permitted to vote for ruling elders? made the following report, which was adopted, viz.

That in the opinion of your Committee, the office of ruling elder is an office in the Church of Christ; that ruling elders as such, according to the Confession of Faith, Book I. on Government, Chap. v. are "the representatives of those by whom they are chosen, for the purpose of exercising government and discipline," in the kingdom of our Lord Jesus Christ; that the discipline lawfully exercised by them is the discipline exercised through them by their constituents, in whose name and by whose authority they act in all that they do. To suppose, therefore, that an unbaptized person, not belonging to the visible kingdom of the Redeemer, might vote at the election of ruling elders, would be to establish the principle that the children of this world might through their representatives exercise discipline in the Church of God; which is manifestly unscriptural and contrary to the standards of our Church; and your committee would therefore recommend that the question in the said overture be answered in the negative."—*Minutes*, 1830, p. 9.

Persons having been ordained to the office of elders without being duly elected, are to be regarded as having never been invested with the office.

[The Synod of the Carolinas inquire:] "In what point of light are the elders nominated and ordained by Mr. Balch to be viewed hereafter in Mount Bethel congregation?"

The Assembly answer: They are to be "henceforth viewed as private church members only, unless they be duly elected and set apart as church officers hereafter."—*Minutes*, 1798, p. 158.

The session has power to convene the congregation for the election of elders; a remedy for their neglect or refusal is found in a complaint to the Presbytery.

"The Assembly gave their opinion that the session of a Church has the authority to convene the congregation for all such purposes, but should the session neglect or refuse to convene the congregation, the party feeling aggrieved has its remedy by application to Presbytery in the form of a complaint."—*Minutes*, 1822, p. 21.

IV. *The scriptural and appropriate mode of ordaining elders and deacons.*

"Our Form of Government, Chap. xiii. Sec. 4, declares that such, whether elder or deacon, shall be set apart to their respective offices by prayer. The imposition of hands, however, we are aware, in many of our churches is practised, and as it is plainly in accordance with apostolic example, it is the opinion of the Assembly that it is proper and lawful. We conceive that every church in this respect, may with propriety be left to adopt either of these two modes, as they think suitable and best."—*Minutes*, 1833, p. 490.

VI. *Elders may resign their office.*

[The Synod having forwarded to the Rev. George Duffield a call from the Third Church in Philadelphia,

without any concurrence of the eldership, and against their solemn caution, the elders asked advice of the Synod in respect to the execution of their office.]

The Synod answer: "In case they cannot, consistently with what they apprehend to be their duty, continue as such, and act upon the decisions of Synod, that they may resign their office."—*Minutes*, 1772, p. 435.

After ceasing to be acting elders, they cannot be members of any church judicature.

Resolved, That no ruling elder who has retired from the active exercise of his office in the church to which he belongs, can be admitted as a member of a Presbytery, Synod, or General Assembly."—*Minutes*, 1835, p. 32.

"When a ruling elder in the Presbyterian Church, by removal or otherwise, terminates his connection with the session by whom he was ordained, does he require installation before he can regularly exercise again the office in the same church or in any other one?"

The overture was answered in the affirmative.—*Minutes*, 1849, p. 265.

Overture No. II. An overture from the Presbytery of Erie, asking "whether the answer of the General Assembly of 1849 to the second part of Overture 36, on page 265 of the printed Minutes, in relation to the installation of ruling elders who have removed from one church to another, has a retrospective, or only a prospective bearing.

The committee recommended the following answer to the question: That it has a prospective bearing.

The recommendation was adopted.—*Minutes*, 1850, p. 454.

"Common fame accuses two ruling elders of a church (they being the only acting elders) with unchristian conduct which took place several years ago, but which has lately been made known to the Pres-

bytery with which said church is connected. What is the duty of Presbytery in this case?

The Committee to whom was referred the overture from the Presbytery of Genesee, made a report, which being read and amended, was adopted, and is as follows, viz:

“*Resolved*, That the Presbytery is the competent court to try these two elders, and it is their duty to cite the offending persons before them, and proceed to issue the case.”—*Minutes*, 1825, pp. 260, 262.

“When an elder has been suspended from church privileges for an offence, and again restored to the privileges of the church, is he also restored to his office as a ruling elder?”

Answer. “The two things are distinct; and since an elder as well as a minister may be suspended from his office and not from the communion of the church; so there may be reasons for continuing his suspension from his office, after he is restored to the privileges of the Church. He cannot be restored to the functions of his office, without a special and express act of the session for that purpose, with the acquiescence of the church.”—*Minutes*, 1836, p. 263.

“Is it lawful for the same person to hold at the same time the two distinct offices of ruling elder and of deacon in the Presbyterian Church?”

“*Resolved*, That while it is important and desirable that the several offices in the Christian church should be kept distinct, and be sustained by different individuals wherever a sufficient number of competent men can be found; yet in the opinion of this Assembly, it is not inconsistent with the Constitution of the Presbyterian Church, nor with the precedent furnished in filling the office of deacon at its first institution, that where a necessity exists, the same individual should sustain both offices.”—*Minutes*, 1840, p. 306.

OF LICENSING CANDIDATES TO PREACH THE GOSPEL.

[Form of Government, Chapter XIV.]

II. "Whether our students, bred in our colleges, have not a right to apply to any of our Presbyteries for improvement for the sacred work of the ministry? and whether they ought not to be received on sufficient recommendations?

"The Synod judge that any student in divinity who professes a design to enter into the ministry, has a right in our present situation to study for his improvement under the direction of any divine of reputation in the Synod, according to a former act; but that when he proposes to enter upon trials with a view to the ministry, he shall come under the care of that Presbytery to which he most naturally belongs; and he shall be deemed most naturally to belong to that Presbytery in whose bounds he has been brought up and lived for the most part, and where he is best known. But if another Presbytery desire that any student or students should come into their bounds, or if any such student or students for greater convenience, or from any circumstances that make it necessary, desire to enter upon trials in a different Presbytery, upon his offering satisfactory reasons, he may be dismissed; but in either case the Presbytery to which he removes shall not receive or admit him to come under trials upon his having a certificate as a regular church member only, but he shall bring a testimonial from the Presbytery or several neighbouring ministers where he lived, recommending him as a candidate for the ministry, of exemplary piety and holiness of conversation; nor shall any thing less be deemed a sufficient recommendation."—*Records*, pp. 305 and 337.

"The Presbytery of New Castle expressing some uneasiness at the conduct of the Second Philadelphia Presbytery, for having received and licensed a certain

Mr. John McClean, who, they apprehend, most properly belonged to the Presbytery of New Castle, and had applied to them to be licensed; and while they were taking the proper steps for obtaining more full satisfaction concerning his church membership and Christian character, he in the mean time removed from them and applied to the Second Philadelphia Presbytery, and was licensed by them. Both the Presbyteries were fully heard in a free conference on this subject, and withdrew. The Synod after mature deliberation order Mr. McClean to be cited before the Presbytery of New Castle, with power to them to hear the charges against him, and issue the affair in a regular manner, and report to the next meeting of Synod. And the Synod do prohibit the Second Philadelphia Presbytery from employing him to preach till the affair shall be concluded.”—*Records*, 1772, p. 435.

The case of Mr. Hindman.

The consideration of the report of the committee to examine the Records of the Synod of Philadelphia was resumed. The report is as follows, viz.

“Your committee observe in page 24th, that although the Synod were informed by the Presbytery of New Castle that a certain Mr. Hindman had put himself under the care of the Presbytery of Donegal for trials, and afterwards, without certificate or dismission offered himself to, and was received upon trials by the Presbytery of Lewes. And though in page 34th the Presbytery of New Castle represent that the said gentleman had been laid under censure by the Presbytery of Donegal, that they had no authentic proof that it was taken off, and that this gentleman had obtained license in opposition to a rule of the Synod of New York and Philadelphia, in their minutes of 1764, pages 79 and 80; yet the Synod recommended it to the Presbytery of New Castle to receive and treat this gentleman as a regular candidate, without any decision upon the matters referred to them.” Whereupon the Assembly “*Resolved*, That

the Synod be informed that the Assembly disapprove of the proceedings as represented in their Records, in recommending a candidate to be received as in full standing, before they had given a decision upon the allegations against him.”—*Minutes*, 1791, p. 37.

“The following question was brought in and read, viz: If any congregation under the care of this General Assembly desire leave to prepare and present a call to Mr. Hindman, will the Presbytery under whose care he is be regular in granting such liberty to any of their congregations?

In answer to which the General Assembly observe, that as the merits of Mr. Hindman’s case and character have never been brought before this body for their decision, they cannot in consistency with any regular proceeding determine any thing about the case. On the whole, the General Assembly consider Mr. Hindman as occupying the same situation in which he was placed by the Synod of Philadelphia, without being affected in any respect by the proceedings of this Assembly.”—*Minutes*. 1791, p. 43.

“The committee appointed to draught a minute respecting the appeal from decision of the Synod of Philadelphia, whereby they refused to revise a minute of their preceding sessions, in the case of Mr. Hindman, and refused to take into consideration the conduct of the Presbytery of Lewes in the affair of his licensure, produced a draught to that purpose, which after some amendment was approved, and is as follows, viz.

The Assembly having had the whole affair laid before them, and fully heard the parties, after mature deliberation, judged that in the case of Mr. Hindman there appeared to have been such a want of attention to the rules of this body, and neglect of order, as to afford just grounds of uneasiness to the appellants, and to deserve the disapprobation of the Assembly. But inasmuch as acts which have been performed in an informal manner must often when done be sustained, the Assembly do hereby sustain the licensure

and ordination of Mr. Hindman, while at the same time they enjoin it in the most pointed manner on the Synod of Philadelphia to give particular attention, that no Presbytery under their care depart in any respect from that rule of the former Synod of New York and Philadelphia, which is as follows:" [this minute is inserted before, see page 49.]-*Minutes*, 1792, p. 56.

The Committee of Bills and Overtures tendered to the General Assembly the following overture, viz.

"A Presbytery having proceeded for some time in the trials of a candidate for the gospel ministry, stop his trials, and he being also otherwise laid under censure by their direction and under their cognizance, he some time afterward, without acquittal or recommendation from the Presbytery which had stopped his trials, applies to another Presbytery, from which he obtains licensure to preach. He then applies to a third Presbytery, or others apply for him, for liberty to preach and settle in their bounds. Quere—Ought that third Presbytery to receive him as a regular licentiate, and permit him to preach in their bounds, or any of their vacancies to prosecute a call for him, before he shall have produced an acquittance and recommendation from the Presbytery that had put a stop to his trials, and under whose cognizance he was otherwise censured?

After mature consideration of the said question, the General Assembly determine that it is fully answered by the existing rules of this body."—*Minutes*, 1791, p. 37.

The case of Mr. James McCoy.

A case was referred to the General Assembly for counsel from the Presbytery of New Castle, which is as follows, viz.

"At a meeting of the Presbytery of New Castle in Wilmington, upon the first Tuesday of January, 1791, and continued by adjournments, the Rev. James McCoy of Morris county Presbytery, with a commissioner from Queen Ann's congregation, applied to be

received as a member of this Presbytery. As Mr. McCoy had been under trials for licensure in the Presbytery of New York, and was licensed and ordained by the Presbytery of Morris, this Presbytery agreed not to receive him as a member, until his case be laid before the General Assembly at their next stated meeting.

The General Assembly upon considering this case determined that neither the Presbytery of New Castle or any other Presbytery ought to receive Mr. McCoy into their connection until he shall have produced a certificate from the Presbytery of New York of his having given them the satisfaction which his case requires."—*Minutes*, 1791, p. 38.

The case of Mr. McCalla.

"The consideration of the business left unfinished yesterday afternoon, was resumed, viz., the complaint of the Presbytery of Washington, Ohio, against the Presbytery of West Lexington, for licensing and ordaining the Rev. William L. McCalla contrary in the opinion of the complainants to Presbyterial order, Mr. McCalla having been suspended from church privileges by the Presbytery of Washington, in consequence of a reference on the subject from the session of the church of Chilicothe.

After a long discussion of the subject, the Assembly adopted the following resolution and decision in the case, viz.

Resolved, That while the Assembly disapprove of the conduct of Mr. McCalla in preaching the gospel before he was regularly licensed; and while they regret that the Presbytery of West Lexington in the final trials of Mr. McCalla for licensure, did not pay sufficient attention either to his irregularity in preaching as just mentioned, or to the proceedings in the session of the church of Chilicothe, and of the Presbytery of Washington in his case, they nevertheless judge that the proceedings of the Presbytery of West Lexington in licensing and ordaining Mr. McCalla be

sustained, and that Mr. McCalla be considered as a minister in good and regular standing in the Presbyterian Church.

The Assembly, moreover, cannot forbear expressing their regret that the Presbytery of Washington should have passed a vote of censure on Mr. McCalla, without citing him to appear before them, or giving him any opportunity of making a defence, since this mode of proceeding seems to have occasioned a portion of the irregularity in the Presbytery of West Lexington, of which the Presbytery of Washington have complained.

Nor can the Assembly forbear to regret that the session of the church of Chilicothe had not acted in a more formal manner in receiving Mr. McCalla, and had not required a regular certificate of dismissal from the church to which Mr. McCalla belonged before they received him.”—*Minutes*, 1821, p. 14.

Whether it is regular for students of divinity who intend to return and officiate in the Presbyterian Church to go into New England or elsewhere to be licensed?

[A candidate, having done so, presented himself to Philadelphia Presbytery; they declined to receive him until they had taken the advice of the Synod.]

“Voted that Mr. Hugh Williamson, a probationer in the ministry, who was licensed in Connecticut, should be received under the care of the Synod.”—*Records*, 1760, p. 306.

“The Synod entertains a high regard for the Associated Churches of New England, yet we cannot but judge that students who go to them or to any other than our own Presbyteries to obtain license, in order to return and officiate among us, act very irregularly, and are not to be approved or employed by our Presbyteries, as we are hereby deprived of the right of trying and approving the qualifications of our own candidates; yet if any case may happen wherein such conduct may in some circumstances be thought

necessary for the greater good of any congregation, it shall be laid before the Presbytery to which the congregation belongs, and approved of by them.”—*Records*, 1764, p. 337.

III. “No student shall be received to enter upon trials in order to his licensing to preach, until he shall repair unto the dwellings or lodgings of at least most of the ministers of the Presbytery to which he offers himself, and thereby give them an opportunity to take a view of his parts and behaviour.”—*Records*, 1735, p. 117.

[The Rev. David Rice proposed in the name of Transylvania Presbytery an inquiry concerning the propriety in their present circumstances (during the great awakening) of licensing and ordaining men to the work of the gospel ministry without a liberal education. The Assembly replied in full to the query, from which this is an extract.]

“We do not say that a liberal education is absolutely essential to a man’s usefulness in the ministry of the gospel; but reason and experience both demonstrate its high importance and utility. And where ignorant men are permitted to explain the Holy Scriptures, it ought to be subject to the direction and control of others of greater knowledge. But this is an order which it has not been thought proper to adopt in the Presbyterian Church. And the superior comparative prosperity and usefulness of our Church, and that of our eastern brethren which is similarly constituted, is a demonstration by no means equivocal of the approbation and smiles of Heaven upon us, in the exercise of our present form of government and discipline. But were our opinion on this subject different from what it is, we cannot lawfully and conscientiously depart from our present standards till they be changed in an orderly manner by the consent of a majority of the Presbyteries which compose the body of the General Assembly.”—*Minutes*, 1804, p. 300.

Case of Dispensation.

[Union Presbytery having had under their care John Gloucester, (a coloured man,) and he being in their judgment of promising talents and eminent piety, and though engaged for several years in the study of literature and divinity, has not yet obtained all the qualifications usually required in candidates for the ministry, they asked advice. The Assembly highly approved their caution and prudence, and considering the circumstances of this particular case, viz., the evidence of unusual talents, discretion, and piety; the good reason there is to believe that he may be highly useful in preaching the gospel among those of his own colour, and the various difficulties likely to attend a further delay in proceeding in this case, do authorize Philadelphia Presbytery to consider the case, and if they think proper, to license John Gloucester.]—*Minutes*, 1807, p. 387.

License for a limited time.

[The Presbytery book of Suffolk was approved since the union of the two Synods, except that they licensed for a certain time, of which the Synod highly disapproved.]—*Records*, 1764, p. 338.

VI. *The phrases “Approved Divine, or Professor of Theology” defined.*

“Whereas, our Form of Government, Chap. xiv. Sec. 6, requires that candidates for the ministry, before they are licensed, “shall have studied divinity under some approved divine or professor of theology;” evidently meaning thereby such divine or professor of theology as is approved by the Presbyterian Church in some of her regularly organized forms; therefore, in order to secure a ministry who shall be sound in the faith, and well instructed in the doctrines, order, and discipline of the Church, and in order to the thorough instruction of the people in the cardinal doctrines and duties of our holy religion, it is

Resolved, That the Presbyteries be, and they hereby are enjoined to see that their candidates for the ministry prosecute their studies only at such Theological Seminaries, or with such divines as are thus approved, and recognized by the Presbyterian Church as sound in the faith and attached to our ecclesiastical order and forms of worship as laid down in the accredited standards of our Church."—*Minutes*, 1838, p. 39.

Is it constitutional for a Synod to enact that in future, candidates for the gospel ministry shall be required to attend to the study of divinity at least three years?

[The Records of the Synod of New York and New Jersey are approved,] "except a vote of that Synod by which they determine it to be constitutional for that Synod to enact, 'That in future, candidates who have the gospel ministry in view, be required to attend to the study of divinity at least three years before licensure,' which vote was determined by the Assembly to be unconstitutional."—*Minutes*, 1792, p. 59.

A remonstrance was presented by the Synod of New York and New Jersey against the foregoing decision, and it was reconsidered the next year, and the following resolution was adopted, viz.

"*Resolved*, As the sense of this house, that the decision of the last General Assembly, which is the subject of complaint, ought not to be altered."—*Minutes*, 1793, p. 73.

The pledge given to the Board of Education by beneficiaries, to study divinity at least three years, is constitutional.

"*Resolved*, That the General Assembly are deeply impressed with the importance of a thorough course of theological study, and would earnestly recommend to their Presbyteries to elevate the standard of education, and that the rule of the Board of Education does not conflict with the Constitution, when it prescribes

the time of study, inasmuch as the Constitution makes two years the shortest time allowed to complete the course of theological study, but does not prescribe the maximum."—*Minutes*, 1844, p. 375.

OF THE ELECTION AND ORDINATION OF PASTORS AND EVANGELISTS.

[Form of Government, Chapter XV.]

I. *The proper mode of proceeding to elect a Pastor.*

"The business left unfinished in the morning was resumed, and after a full discussion of the subject, the motion to sustain the appeal of the Session of the Third Presbyterian Church in this city from the decision of the Synod of Philadelphia, affirming a decision of the Presbytery of Philadelphia, by which the Presbytery directed the said Session, within twenty days from the date of their decision, or after the final determination of the case, to convene the congregation for the purpose of electing a pastor, was determined in the affirmative; and Dr. Green, Dr. Neill, and Mr. Richards were appointed a Committee to prepare a minute, stating the principles on which the Assembly sustained the appeal.

The Committee appointed to prepare a statement of the principles and grounds upon which the Assembly sustained the appeal of the session of the Third Presbyterian Church in this city reported, and their report being read and amended, was adopted in the words following, viz.

That both to prevent misapprehension and to aid the congregations and judicatures of this church in deciding on any similar cases that may arise, the Assembly therefore declare,

I. That in vacant congregations which are fully organized, the session of each congregation are to determine, under their responsibility to the higher

judicatures, when the congregation are prepared to elect a pastor, as directed in the Form of Government of this Church, Chap. xiv. Sec. 1.

II. That it is the duty of the session when a congregation is vacant, to use their best endeavours to promote the settlement of a pastor in the same, in the speediest manner possible, consistently with the peace, order, and edification of the congregation; and it is the privilege of the people, or of any portion of them, to complain to the Presbytery when they think that the session, after being suitably requested, neglect, or refuse to convene the congregation to elect a pastor.

III. That it belongs to the Presbyteries to take cognizance of the proceedings of sessions and congregations in the important concern of settling pastors, and to adopt the most effectual measures on the one hand to prevent all undue delay by the session, or the people, and on the other, to prevent all precipitancy in the settlement of any minister, or the adoption of any system of proceedings in the congregation inconsistent with the real and permanent edification of the people.

IV. That by the due and discreet observance of these principles by all concerned, it will be found that so far from the session of a congregation having it in their power to deprive a majority of a congregation of their right to make an election of a pastor, when sought in an orderly and Christian manner, or to keep a congregation unsettled for an indefinite length of time, the rights of the people will be most effectually secured, and their precious and inalienable privilege of choosing their own pastor will be exercised by them in the shortest period which their own real benefit will permit.

V. That the conviction of this Assembly that the foregoing obvious and constitutional principles had not been duly adhered to in the case before them; that the congregation had not proceeded with a suitable respect for the session, and that the Presbytery did not adopt the most suitable measure when they advised and

directed the session to convene the congregation in twenty days, has led the Assembly to sustain this appeal as the measure most constitutional, best calculated on the whole to do justice to all the parties concerned, and to point the way to the most speedy settlement of the unhappy differences and disorders which have so long existed in the particular congregation immediately concerned."—*Minutes*, 1814, pp. 559, 560.

XII. *Persons traducing the Confession of Faith cannot be admitted into the ministry.*

The Committee to which was referred the petition of certain individuals, members of the congregation in Tammany street, Baltimore, reported, and their report being read and amended was adopted, and is as follows, viz.

That while it is unquestionably the privilege of individuals and members of the Presbyterian Church when they think they see the peace, purity, or prosperity of the church in danger, either from an individual or from an inferior court, to apply to the General Assembly in an orderly manner for redress or direction, yet in such cases, unless they mean to come forward as prosecutors, with the necessary testimony, they should most carefully avoid mentioning names connected with charges of the most serious kind, in support of which no evidence has been orderly adduced; nor have the individuals thus accused had an opportunity of replying to those charges, or of making any defence of themselves. The Assembly therefore cannot witness a procedure of this kind without expressing their disapprobation of it.

But inasmuch as this step may have arisen from inadvertency or a want of information respecting the course proper to be taken in such a case; and as the petitioners declared that it was not their design or intention to exhibit charges against the persons whose names were mentioned in this petition, but that their only object was to bring the subject of this petition before the Assembly that they might obtain an ex-

pression of the sentiments of the Assembly on the importance and binding character of the Confession of Faith as recognized by the Presbyterian Church; the committee beg leave to report the following, viz.

1. That in the opinion of this Assembly confessions of faith, containing formulas of doctrine and rules for conducting the discipline and worship proper to be maintained in the house of God, are not only recognized as necessary and expedient, but as the character of human nature is continually aiming at innovation, absolutely requisite to the settled peace of the Church, and to the happy and orderly existence of Christian communion. Within the limits of Christendom few are to be found in the attitude of avowed hostility to Christianity. The name of Christian is claimed by all, and all are ready to profess their belief in the Holy Scriptures; too many reserving to themselves the right of putting upon them what construction they please. In such a state of things without the aid of confessions, Christian fellowship can exist only in a very limited degree, and the disorder of the Corinthian Church, condemned by the Apostle, would be realized: "I am of Paul, and I of Apollos."

2. That though the Confession of Faith and standards of our Church are of no original authority, independent of the Scriptures, yet we regard them as a summary of those divine truths which are diffused throughout the sacred volume. They, as a system of doctrines, therefore, cannot be abandoned, in our opinion, without an abandonment of the word of God. They form a bond of fellowship in the faith of the gospel, and the General Assembly cannot but believe the precious immortals under their care to be more safe in receiving the truth of God's holy word as exhibited in the standards of our Church, than in being subject to the guidance of any instructor, whoever he may be, who may have confidence enough to set up his own opinions in opposition to the system of doctrines which men of sound learning, full of the Holy Ghost, and mighty in the Scriptures, have derived from the

oracles of the living God. It should never be forgotten that the Church is solemnly cautioned against the danger of being carried about by every wind of doctrine.

3. This Confession of Faith, adopted by our Church, contains a system of doctrines professedly believed by the people and the pastors under the care of the General Assembly, nor can it be traduced by any in the communion of our Church, without subjecting the erring parties to that salutary discipline which has for its object the maintenance of the peace and the purity of the Church under the government of her Great Master.

Finally, the General Assembly recommend to all who are under their care, steadfastly to resist every temptation, however presented, which may have for its object the relaxation of those bonds of Christian fellowship which have hitherto been so eminently blessed of God, for the order, edification and extension of the Presbyterian Church, and conclude with the words of the holy apostle: "Now we beseech you, brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you, but that ye be perfectly joined together in the same mind and in the same judgment."—*Minutes*, 1824, p. 211.

"The Committee appointed on an overture respecting the consistency of admitting into this church ministers who manifest a decided hostility to ecclesiastical creeds, confessions, and formularies, made the following report, which was adopted, viz.

1. That the Constitution, as is well known, expressly requires of all candidates for admission, a solemn declaration that they sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrines taught in the Holy Scriptures.

2. That the last Assembly, in a report of their Committee, to be seen on their Minutes, have so explicitly and fully declared the sentiments of this Church

in regard to her ecclesiastical standards, and all within her communion who may traduce them, that no further expression of our views on this subject is deemed necessary."—*Minutes*, 1825, p. 274.

"The Committee to whom was referred Overture No. 5, viz. *On subscribing the Confession of Faith*, made the following report, which was unanimously adopted, viz.

That, in their judgment, any further legislation on the subject, by the Assembly, would be unnecessary and inexpedient. They consider the formula contained in our book, and the rule adopted by the Assembly in 1830, viz. that in their judgment every licentiate coming by certificate to any Presbytery in connection with the General Assembly, from any portion of a corresponding ecclesiastical body, should be required to answer in the affirmative the constitutional questions directed by Chapter xiv. of our Form of Government, to be put to our candidates before they are licensed; and that in like manner every ordained minister of the gospel coming from any church in correspondence with the General Assembly, by certificate of dismissal and recommendation, should be required to answer affirmatively the first seven questions, directed by Chapter xv. of our Form of Government, to be put to one of our own licentiates when about to be ordained to the sacred office, (p. 12, 1830,) sufficiently explicit; and would earnestly recommend these to the attention of the Presbyteries under the care of the Assembly.

As to the question submitted to them, "Whether the Catechisms, Larger and Shorter, are to be considered as a portion of the standards of our Church, and are comprehended in the words, 'Confession of Faith of this Church?'" the Committee feel no hesitation in answering that question in the affirmative. It does not appear that any doubts on that subject have ever been entertained until very recently. The Committee find in the Minutes of the old Synod, at the union of the Synod of Philadelphia with the

Synod of New York, in 1758, that the first Article of the Plan of Union contains the following words, viz. "Both Synods having always approved and received the Westminster Confession of Faith, and the Larger and Shorter Catechisms, as an orthodox and excellent system of Christian doctrine founded on the word of God; we do still receive the same as the Confession of our Faith, and also the Plan of Worship, Government, and Discipline contained in the Westminster Directory, strictly enjoining it on all our members and probationers for the ministry, that they preach and teach according to the form of sound words in said Confession and Catechisms, and avoid and oppose all errors contrary thereto." In the recital of the manner in which a Presbytery was received by the Synod of New York, in 1763, we have the following record: "It was agreed to grant their request, provided that they agree to adopt our Westminster Confession of Faith and Catechisms, and engage to observe the Directory as a plan of worship, discipline, and government, according to the agreement of this Synod."

In 1788, in the Adopting Act of our Confession, the Catechisms are distinctly mentioned as a part of our standards. "They also took into consideration the Westminster Larger and Shorter Catechisms, and having made a small amendment of the Larger, did approve, and do hereby approve and ratify the said Catechisms as now agreed on, as the Catechisms of the Presbyterian Church in the said United States. And the Synod order that the said Directory and Catechisms be printed and bound up in the same volume with the Confession of Faith, and the Form of Government, and Discipline, and that the whole be considered as the standard of our doctrine, government, discipline, and worship, agreeably to the resolutions of the Synod at their present sessions;" one of which resolutions was that the Form of Government, and Discipline, and the Confession of Faith, as now ratified, is to continue to be our Constitution, and the Confession of our Faith, and

practice, unalterably, unless two-thirds of the Presbyteries under the care of the General Assembly, shall propose alterations, or amendments, and that such alterations, or amendments, shall be agreed to and enacted by the General Assembly." Accordingly, in the Directory for the administration of Baptism, the Larger and Shorter Catechisms of the Westminster Assembly are mentioned in connection with the Confession of Faith, as adopted by this church, and are to be recommended as a summary of the principles of our holy religion, taught in the Scriptures of the Old and New Testaments.

The Committee therefore recommend to the Assembly the adoption of the following resolutions, viz.

1. *Resolved*, By the Assembly, That in receiving and adopting the Confession of Faith, as containing the system of doctrine taught in the Holy Scriptures, the Larger and Shorter Catechisms of the Westminster Assembly of Divines are included, and do constitute an integral part of the standards of this Church.

2. *Resolved*, That the use of the Catechisms in the religious instruction of the young, and of the children under the care of the Church, be affectionately and earnestly recommended to the sessions in connection with the General Assembly, as the most effectual means under God of preserving the purity, peace, and unity of our Church."—*Minutes*, 1832, p. 331.

"Overture No. I. The following inquiry from members of the Presbytery of Nashville:

'When ministers and other officers are ordained in the Presbyterian Church, and give an affirmative answer to the question: Do you sincerely receive and adopt the Confession of this Church as containing the system of doctrines taught in the Holy Scriptures? are such ministers and officers to be understood as embracing and assenting to the doctrines, principles, precepts, and statements contained in the Larger and Shorter Catechisms, in the same unqualified sense in

which they are understood to embrace and assent to the doctrines, principles, precepts, and statements contained in other parts of the Confession of Faith?"

The Committee recommended that the question be answered in the affirmative, and the recommendation was adopted."—*Minutes*, 1848, p. 18.

Ought ministers to be ordained sine titulo? i. e. without relation, or probable view had to a particular charge?

"The Synod would bear testimony against the late too common and now altogether unnecessary practice of some Presbyteries in the north of Ireland, viz. their ordaining men to the ministry, *sine titulo*, immediately before they come over hither, thereby depriving us of our just rights, viz. that we, unto whom they are designed to be co-presbyters, and among whom they design to bestow their labours, should have just and fair inspecting into their qualifications; we say, it seems necessary that the Synod bear testimony against such practice by writing home to the General Synod, thereby signifying our dissatisfaction with the same. * * * * The Synod do agree that no minister ordained in Ireland, *sine titulo*, be for the future received to the exercise of his ministry among us, until he submit to such trials as the Presbytery among whom he resides shall think proper to order and appoint. And that the Synod do also advertise the General Synod in Ireland, that their ordaining any such to the ministry, *sine titulo*, before their sending them hither for the future, will be very disagreeable and disobliging to us."—*Records*, 1735, p. 117.

"The question, Ought ministers to be ordained *sine titulo*, i. e., without relation or probable view had to a particular charge, resumed; and after further deliberation, we judge as follows:

That in ordinary cases, where churches are properly regulated and organized, it is a practice highly inexpedient and of dangerous consequences; not to

be allowed in our body except in some special cases, as missions to the Indians, and some distant places, that regularly apply for ministers. But as the honour and reputation of the Synod is much interested in the conduct of Presbyteries in such special cases, it is judged that they should previously apply to the Synod and take their advice therein, unless the cases require such haste as would necessarily prevent the benefit of such a mission if delayed to the next session of Synod; in which cases the Presbyteries shall report to the next Synod the state of the cases and the reasons of their conduct.”—*Records*, 1764, p. 336.

Ordination to a chaplaincy in the army is not to be considered as ordination sine titulo.

[By the report of Newcastle Presbytery it appears that Mr. James F. Armstrong was] “not ordained *sine titulo*, but in consequence of his having accepted a chaplaincy in the army.”—*Minutes*, 1779, p. 484.

[The Synod of the Carolinas, having censured Harmony Presbytery for ordaining a candidate *sine titulo*, without asking leave of a higher judicatory, the Assembly] “*Resolved*, That as a considerable and evident diversity of opinion has for a length of time existed among the judicatures and ministers of our communion on the question, whether Presbyteries can regularly proceed to ordination *sine titulo*, without consulting a higher judicature, and it is hereby expedient for the peace and order of the Church that this question should be decided, this Assembly therefore repeal the act of the last Assembly, by which a farther attention to this subject was dismissed, and this Assembly do farther direct that all the Presbyteries under the care of the Assembly, as well those which have heretofore voted on this subject, as those which have not, do send up in writing the expression of their opinion on the subject to the next General Assembly, in order that there may be a constitutional and final decision on the point in controversy, and that the

practice relative thereto may be uniform in all parts of our Church. The rule proposed, and on which an affirmative or negative vote of the Presbyteries is required, is in the following words, viz.

“It shall be the duty of Presbyteries, when they think it necessary to ordain a candidate, without a call to a particular pastoral charge, to take the advice of a Synod or the General Assembly, before they proceed to such ordination.”—*Minutes*, 1813, p. 523, 4.

[The rule was negatived by the Presbyteries, four only sending reports in the affirmative.]—*Minutes*, 1814, p. 558.

Leave granted to ordain a person proposing to remain a teacher.

“The Presbytery of Philadelphia submitted to the Assembly for their decision the case of Mr. John Jones, a licentiate under their care, who at their last sessions had requested that the Presbytery would take measures to ordain him *sine titulo*. The Presbytery stated that Mr. Jones had been a licensed candidate for a number of years; that he had always sustained a good and consistent character; that he was engaged in teaching an academy, and was so circumstanced, that his being ordained might render him more extensively useful. The Assembly having considered the case, *Resolved*, That, the Presbytery of Philadelphia be permitted and authorized to ordain Mr. Jones to the work of the gospel ministry, *sine titulo*, provided the Presbytery, from a full view of his qualifications, and other attending circumstances, shall think it expedient so to ordain him.”—*Minutes*, 1807, p. 386.

“Overture No. 1. An overture from the Presbytery of Transylvania, asking ‘Is it, or is it not in accordance with the principles and practice of the Presbyterian Church to ordain evangelists to labour in fields having feeble churches which are not able to support a pastor, and are too remote conveniently to secure the services of an ordained minister?’

The committee recommended the following answer to the question:

To ordain evangelists under the specified circumstances is in accordance with the practice of the Church, and is no infraction of any of its laws. The recommendation was adopted."—*Minutes*, 1850, p. 454.

The Assembly took up the report of the committee on Overture No. 3, which was laid on the table, [viz. An application from the Synod of Ohio, requesting that the young men who are sent within their bounds as missionaries, with a view to settlement, may have their ordination deferred until they come within their bounds,] which being read and amended, was adopted, and is as follows, viz.

"Whereas, many of the ministers who are to supply the vacant churches and destitute places in the more new and growing parts of our Church, must for some time to come be educated in the older sections of our country, and at a great distance from the field where they are to be employed; and whereas it is important to the happy and useful settlement of these ministers in their several fields of labour that they should enjoy the full confidence of the ministers and churches among whom they are to dwell; and whereas the ordination of ministers in the presence of the people among whom they are to labour is calculated to endear them very much to their flocks, while it gives their fathers and brethren in the ministry an opportunity of knowing their opinions and sentiments on subjects of doctrine and discipline; and whereas our Form of Government seems to recognize the right and privilege of each Presbytery to examine and ordain those who come to the pastoral office within their bounds, and who have never before exercised that office, therefore

Resolved, 1. That it be earnestly recommended to all our Presbyteries not to ordain *sine titulo* any men who propose to pursue the work of their ministry in

any sections of the country where a Presbytery is already organized, to which they may go as licentiates and receive ordination.

2. That the several bodies with which we are in friendly correspondence in the New England States, be respectfully requested to use their counsel and influence to prevent the ordination, by any of their Councils or Consociations, of men who propose to pursue the work of the ministry within the bounds of any Presbytery belonging to the General Assembly of the Presbyterian Church; and that the delegates from this Assembly to those bodies respectively be charged with communicating this resolution."—*Minutes*, 1834, p. 12.

Hasty Ordinations.

The Committee on the subject of *hasty ordinations* reported, and their report was considered, amended, and adopted, as follows, viz.

"I. That as persons are liable to mistake their calling, and as the office of the ministry is, by God's institution, a permanent one, which cannot be laid aside at pleasure, Presbyteries ought to exercise great caution in ordaining ministers of the gospel. And they are hereby enjoined not to ordain any one to the pastoral office until full proof has been made of him as a licentiate by the Presbytery that ordains him.

II. That as one great evidence of a divine call to the work of the ministry, is the call of a particular congregation, it is especially necessary to use great caution in ordinations, *sine titulo*, and the Presbyteries are enjoined not to proceed to such ordinations, except in the cases provided for in our Form of Government.

III. And that the Presbyteries are specially enjoined not to ordain their licentiates when they are about to remove into the bounds of other Presbyteries, but to dismiss them as licentiates."—*Minutes*, 1842, p. 28.

The Synods of Virginia and the Carolinas asked "liberty to direct their Presbyteries to ordain such candidates as they may judge necessary to appoint on missions to preach the gospel."

"*Resolved*, That the above request be granted, the Synods being careful to restrict the permission to the ordination of such candidates only as are engaged to be sent on missions."—*Minutes*, 1795, p. 98.

A reference from the Synod of Philadelphia was laid before the Assembly. By an extract from the minutes of that Synod, it appeared that Mr. John Waugh, a licentiate under the care of the Presbytery of New Castle, had, for special reasons, requested the Presbytery to take measures for his ordination *sine titulo*. The Presbytery accordingly presented the request to Synod, and the Synod finding that the authority in this case is by the Constitution expressly vested in the General Assembly, agreed to refer the matter to them for their decision. The Assembly having taken the subject into consideration,

Resolved, That the Presbytery of New Castle be, and they hereby are permitted and authorized to ordain the said Mr. Waugh to the work of the gospel ministry *sine titulo*; provided that the Presbytery, from a full view of his qualifications and other attending circumstances, shall think it expedient.—*Minutes*, 1805, p. 337.

"The Presbytery of Baltimore directed their Commissioners to solicit the permission of the General Assembly to ordain Mr. William Maffit, a licentiate under their care, to the office of the gospel ministry, if upon examination he should appear qualified. The request was made at the particular instance of the

church of Bladensburg, where Mr. Maffit officiates as a stated supply, whereupon,

Resolved, That said request be granted."—*Minutes*, 1798, p. 146.

"An overture was inclosed to the Assembly, through the Committee of Overtures, in the words following, viz.

"That Mr. Samuel Donnel, a licentiate of the Presbytery of Ohio, be, for reasons stated in a letter accompanying this overture, ordained by that Presbytery, in order to his settlement in a remote part of Tennessee."

Whereupon, the Assembly considering the necessities of the churches in that part of our country, and their great distance from any Presbytery,

Resolved, That the Presbytery of Ohio, if they see their way clear, do ordain Mr. Samuel Donnel; and the Clerks were ordered to furnish the Presbytery of Ohio with an attested copy of this minute."—*Minutes*, 1799, p. 172.

[Leave was given to the Presbytery of Hartford to ordain Mr. Joshua Beer, a licentiate under their care, under appointment on a mission by the Missionary Society of Connecticut.]—*Minutes*, 1809, p. 415.

"The Presbytery of Hartford stated to the Assembly, that in their opinion it would be advantageous to the cause of religion to ordain Mr. Robert Sample, *sine titulo*, and requested leave thus to ordain him, whereupon,

Resolved, That said Presbytery be permitted to ordain Mr. Sample, provided they judge it expedient."—*Minutes*, 1810, p. 459.

OF MODERATORS.

[Form of Government, Chapter XIX.]

II. *The Moderator of the General Assembly has no vote distinct from the casting vote.*

“On the question being taken, the Moderator, [Dr. John Blair Smith,] claimed a right to vote as a commissioner from the Presbytery of Albany, distinct from the casting vote. He left it to the house to decide on the claim. The house, having taken a vote on the subject, decided by a great majority against the Moderator’s claim.”—*Minutes*, 1798, p. 140.

III. *The mode of choosing the Moderator of the Assembly.*

“On motion agreed, that it be the standing rule of the General Assembly, in choosing a Moderator, that any commissioner may nominate a candidate for the chair. The candidates so pointed out shall then severally give their votes for some one of their number, and withdraw; when the remaining commissioners shall proceed *viva voce*, to choose by a plurality of voices one of the said candidates for Moderator.”—*Minutes*, 1791, p. 39.

On motion it was “*Resolved*, That a majority of all the votes given for Moderator be necessary for a choice.”—*Minutes*, 1846, p. 189.

The mode of inducting the Moderator of the Assembly.

A Moderator having been duly chosen, the former Moderator, before he resigns his seat, addresses him and the Assembly thus:

“Sir—It is my duty to inform you and announce to this house that you are duly elected to the office of

Moderator in this General Assembly. For your direction in office, and for the direction of this Assembly in all their deliberations, before I leave this seat, I am to read to you and this house the Rules contained in the records of this Assembly, which I doubt not will be carefully observed by both, in conducting the business that may come before you."

[Here the Rules, which are generally published as an appendix to the Confession of Faith, are read, or as is sometimes the case, the attention of the Moderator elect, and of the house is specially directed to them, without their being read. Afterwards the Moderator adds:]

"Having now read these rules, according to order, for your instruction as Moderator and for the direction of all the members, in the management of business, praying that Almighty God may direct and bless all the deliberations of this General Assembly, for the glory of his name and for the edification and comfort of the Presbyterian Church in the United States, I resign my place and office as Moderator." *Minutes*, 1791, p. 34, and 1822, pp. 15, 16.

Respecting Communications to the Assembly.

"On motion, *Resolved*, That every letter or communication addressed to the Moderator, be opened and read by him, and at his discretion be either communicated to the Assembly for their decision, or to the Committee of Overtures, to be by them brought before the house in the ordinary channel."—*Minutes*, 1794, p. 79.

OF VACANT CONGREGATIONS ASSEMBLING
FOR PUBLIC WORSHIP.

[Form of Government, Chapter XXI.]

“Whether ruling elders representing such [vacant] congregations [in Presbytery,] should be interrogated concerning the observance of the recommendations contained in Chapter xxi. of the Form of Government?”

[The Assembly] “answered in the affirmative.”—*Minutes*, 1847, p. 401.

OF COMMISSIONERS TO THE GENERAL
ASSEMBLY.

[Form of Government, Chapter XXII.]

I. *The requirement that the election be not more than seven months before the meeting of the Assembly, dispensed with in the case of missionaries in foreign lands.*

“A reference to the Minutes of the General Assembly of 1844, will show that the Rev. Wm. S. Rogers, a commissioner from the Presbytery of Lodi-ana, in Northern India, was admitted without scruple to a seat in that body, though it is evident that his appointment must have been made beyond the limits of time prescribed by the Constitution. The peculiar circumstances of the case no doubt influenced, and we believe authorized that Assembly to act as they did in the premises.”—*Minutes*, 1846, p. 214.

A Presbytery not having had time to convene after learning the organization of the Assembly, one of its members informally deputed was admitted to a seat, with the declaration that it was not to be regarded as a precedent.

“Mr. Adam Rankin, a member of the Presbytery

of Transylvania, appeared in the General Assembly and acquainted them that the information of the constitution of this body did not arrive time enough to make a constitutional appointment of members from that Presbytery; and some of his brethren having recommended it to him to come to the General Assembly, he desires to be admitted to the privileges of a member.

“On motion, *Resolved*, That the General Assembly, wishing to promote the union of the churches under their care, do admit him to sit as a member, but declare that it shall not be drawn into a precedent, after the Constitution of this Church shall have been published, agreeably to the order of the late Synod of New York and Philadelphia.”—*Minutes*, 1789, p. 5.

Where a Presbytery has failed to meet on its last adjournment, the member appointed by those present at the time fixed for the regular meeting, is not entitled to a seat in the Assembly.

“The Committee of Elections further reported in the case of Mr. David M. Smith, that it appeared to their satisfaction that the Presbytery of Columbia failed to form a quorum at the time at which their stated spring meeting should have been held according to adjournment; that there were present two ministers and ruling elders from a majority of the churches, the Presbytery consisting only of five ministers; that those present requested that the Assembly would receive Mr. Smith as a commissioner from their Presbytery, in which request two of the absent members have expressed their concurrence in writing, and that it is believed that the appointment of Mr. Smith would have been unanimous, had the Presbytery formed a quorum; and further, that the Committee are divided upon the question, whether, under these circumstances, Mr. Smith ought, or ought not, to be admitted to a seat. It was moved that Mr. Smith be admitted to a seat. After debate, the question was decided in the negative.”—*Minutes*, 1843, p. 171.

A Presbytery having nominated a Commissioner in the fall, failed, by reason of high waters, to hold their spring meeting; the person nominated was admitted to a seat.

“The Committee on Elections reported that the Rev. James W. Moore had been nominated, or selected, by the Presbytery of Arkansas, at their meeting in last September, but that the Presbytery had been prevented by high waters from meeting since, and consequently there could be no election. On motion, Mr. Moore was admitted to a seat.”—*Minutes*, 1846, p. 197.

Rule respecting Principals and Alternates.

The Committee recommended the adoption of the following resolution:

“*Resolved*, That in the judgment of this General Assembly, the construction of the Constitution, Form of Government, Chap. xxii. Sec. 1, which allows commissioners, after holding their seats for a time, to resign them to their alternates, or which allows alternates to sit for a while and then resign their places to their principals, is erroneous; that the practice growing out of this construction is inexpedient; and that it ought to be discontinued.” [The resolution was adopted.]—*Minutes*, 1827, p. 124.

[The alternate having taken his seat, had leave to resign it to the principal, who, having been providentially detained, appeared on the third day, the standing rule being dispensed with under the peculiar circumstances of the case.]—*Minutes*, 1836, p. 245; do. 1844, p. 368; do. 1847, p. 382.

[The principal having obtained leave of absence, his alternate was permitted to take his seat.]—*Minutes*, 1850, p. 459.

BOOK II.—OF DISCIPLINE.

GENERAL PRINCIPLES OF DISCIPLINE.

[Book of Discipline, Chapter I.]

Baptized Children.

VI. “Whereas, The Book of Discipline states that children born within the pale of the visible Church, and dedicated to God in baptism, are under the inspection and government of the Church, and specifies various important particulars in which that inspection and government should be exercised, as also directs the mode in which they shall be treated if they do not perform the duties of church members; and whereas, there is reason to apprehend that many of our congregations neglect to catechize the children that have been admitted to the sealing ordinance of baptism, and do not exercise suitable discipline over them, therefore,

Resolved, That the different Presbyteries within our bounds are hereby directed to inquire of the different sessions, whether a proper pastoral care be exercised over the baptized children in their congregations, that they learn the principles of religion, and walk in newness of life before God, and that said Presbyteries do direct all sessions delinquent in this respect, to attend to it carefully and without delay.”
—*Minutes*, 1809, p. 431.

A recommendation as to the mode of exercising a pastoral care over them.

“*Resolved*, That the General Assembly recommend, and they do hereby recommend to the pastors and sessions of the different churches under their care, to

assemble, as often as they may deem necessary during the year, the baptized children, with their parents, to recommend said children to God in prayer, explain to them the nature and obligations of their baptism, and the relation they sustain to the Church."—*Minutes*, 1818, p. 691.

OF ACTUAL PROCESS.

[Book of Discipline, Chapter IV.]

VIII. *The Rule of the Synod of New York and Philadelphia.*

"The Synod orders that all their judicatures shall, for the future, be particularly careful not to receive or judge of any charges, but such as shall be seasonably reduced to a specialty in the complaint laid before them."—*Minutes*, 1770, p. 406.

XIII. *Omission to assign counsel is not a sufficient reason for sustaining an appeal.*

"The Committee appointed to prepare a minute proper to be made respecting Mr. Arthur's appeal, reported the following, which was adopted, viz. The Assembly sustained the appeal of Mr. Arthur from the sentence of the Presbytery, by which he was suspended from the gospel ministry on the ground of contumacy. * * * * But the appeal from the first sentence, by which the charge of slander, preferred against him by the Rev. Joshua L. Wilson, was declared to be substantiated, and Mr. Arthur required to submit to a rebuke, the Assembly could not sustain. For although the Assembly noticed the omission of Presbytery to assign Mr. Arthur counsel to manage his defence, (see Discipline, Chap. iv. Sec. 13,) yet they did judge the pamphlet of which Mr. Arthur admitted himself to be the author, to con-

tain slander against Mr. Wilson, and could not but disapprove of the spirit under the influence of which it appeared to have been written.”—*Minutes*, 1822, p. 25.

XVI. *A copy of the proceedings made by the appellant is not sufficient.*

“By ‘the forms of process’ Mr. Bourne ought to be allowed copies of the whole proceedings in his case, yet the judicatory appealed from, is, by the same rules ‘to send up authentic copies of the whole process;’ his copy, therefore, which he says was taken by himself, but is not shown to the Assembly, is not sufficient; his affidavit is not required by the course of proceeding in this body, and the three papers presented by him are not to be considered as the commencement of a cause, or the entry of an appeal in this judicatory. Nevertheless Mr. Bourne shall not suffer any inconvenience which the Assembly can prevent, on the account of any failures of the inferior judicatures, if a default should in future appear on their part; the evidence of such a circumstance being not as yet made clear to this Assembly.”—*Minutes*, 1816, p. 627.

Where the lower judicatories sent up their Records, but not authentic copies of the process, the appeal was sustained.

“The Committee appointed to prepare a minute on the decision of the Assembly sustaining the appeal of Mr. Pope Bushnell, from a decision of the Synod of New York, affirming the decree of the Presbytery of Hudson, by which the said Mr. Bushnell had been suspended from the privileges of the church, made the following report, which was adopted, viz.

That the appellant having given due notice that he did appeal, appeared regularly before the Assembly; and that while the Presbytery and Synod have sent up their records in the case, neither has forwarded to this Assembly an authentic copy of the testimony taken on the trial. The Assembly did, therefore,

decide that Mr. Bushnell's appeal be and it hereby is sustained, so that he is restored to all his rights and privileges as a member of the Church of Christ."—*Minutes*, 1826, p. 35.

XXIII. *The distribution among members of a judicatory of papers bearing on a cause, is illegal.*

"A number of copies of a book containing a history of the former proceedings in this case, and strictures upon them, having been distributed through the pews of the church, it was *Resolved*, That in the opinion of the Assembly, the distribution of books, letters, or pamphlets, among the members of the house, relative to a cause pending before them, or which is expected to be submitted to their decision, is an infringement upon the prerogatives of this house, and ought to be discountenanced as an illegal and improper attempt to bias the judgment of the members."—*Minutes*, 1814, p. 552.

OF PROCESS AGAINST A MINISTER.

[Book of Discipline, Chapter V.]

II. *Where the moral character of a minister residing out of the bounds of his Presbytery is impeached, it is the duty of the Presbytery to which he belongs to make inquiry.*

"The Presbytery of New York represented to Synod that one of their members now resided in the bounds of New Brunswick Presbytery, whose moral character laboured under some imputations, and requested the advice of Synod as to which of the Presbyteries should make inquiry into that matter; whereupon the Synod judged it to be the duty of the Presbytery of New York."—*Minutes*, 1782, p. 495.

II. "Overture No. 21. An inquiry from J. A. Clayton. Whereas our Book of Discipline, Chap. v. Sec. 2, says, 'the same general method, substituting

the Presbytery for the Session,' is to be observed in investigating charges against a minister as are prescribed in the case of private members :

Does this authorize the Presbytery to apply the principle contained in Chap. iv. Sec. 18, to ministers against whom charges exist that cannot be seasonably tried, so far as to suspend them from the functions of the gospel ministry until they can be tried?

P. S. If the above will not apply, what should the Presbytery do in the case?

The Committee recommended the following resolution, which was adopted, viz.

Resolved, That when charges are tabled against a minister, and it is impracticable at once to issue the case, the Presbytery has the right, if the interests of religion seem to demand the measure, to suspend him from the exercise of his ministerial functions until the case shall have been issued."—*Minutes*, 1848, p. 34.

III. IV. "The Judicial Committee also made a statement in the case of the Rev. Horace Belknap, and recommended the adoption of the following resolutions, which were adopted accordingly, viz.

1. *Resolved*, That in the opinion of this Assembly, the resolution of the last General Assembly, in answer to Overture No. 2, does not apply to the case of the Rev. Horace Belknap, as referred by the Presbytery of Harmony.

2. *Resolved*, That in the opinion of this Assembly, the Presbyteries, both of Harmony and Steubenville, appear to have misconceived the directions as laid down in Chap. v. Sects. 3 and 4 of the Book of Discipline; inasmuch as those rules do not transfer jurisdiction from a Presbytery to which a minister belongs, to the one within whose bounds he resides, so as to authorize the latter Presbytery to try such minister, but only to examine witnesses in the case, and transmit an authentic record of the testimony to the Presbytery which made the application; therefore,

3. *Resolved*, That the Presbytery of Harmony is at liberty to pursue such course in the case of Mr.

Belknap as the circumstances of the case and the good of religion shall in their opinion require.”—*Minutes*, 1831, p. 191.

XVI. *A deposed minister may, with the permission of the Assembly, be restored by a Presbytery within whose bounds he resides, if, on inquiry, they are satisfied of his penitence, and that the interests of religion will be promoted by his restoration. The Presbytery which deposed him shall send a certified copy of all their proceedings in his case to the Presbytery, when it enters on the inquiry.*

Petitions from the churches at Mount Pleasant and Greensburg, in New York, and from five ministers of the gospel residing in the vicinity of Mr. George Bourne, requesting that Mr. Bourne might be restored to the office of the gospel ministry, were overtured; and application on behalf of Mr. Bourne, was made by Dr. Ely, that, on the profession of his penitence, he may be restored. Whereupon, it was

“*Resolved*, That the case of Mr. George Bourne be referred to the Presbytery of New York, in whose bounds he now resides; and it is hereby ordered that the Presbytery of New York be furnished, by the Presbytery of Lexington, with all the documents relative to the deposition of Mr. Bourne, that they receive testimony as to the character and deportment of Mr. Bourne since his deposition, and also the evidences of repentance Mr. Bourne may furnish; and it is ordered moreover, that the said Presbytery of New York do proceed to issue the case, and continue the sentence of deposition, or restore him, the said Bourne, to the gospel ministry as they may judge proper.”—*Minutes*, 1824, p. 222.

A deposed minister who has only partially submitted to the sentence, is not to be restored.

“An extract from the records of the Presbytery of New York was laid before the Assembly and read. From this and the explanations given, it appeared that a certain Aaron C. Collins, formerly a member of that

Presbytery, had been deposed by them from the office of the gospel ministry; that the crimes for which he was deposed were scandalous and highly aggravated; that his submission to the sentence of deposition had been only partial, he having exercised the functions of a gospel minister during a part of the time he lay under the sentence; that Mr. Collins had lately applied to that Presbytery to restore him to his office, and certain circumstances were stated as evidences of his penitence. The Presbytery, therefore, requested the advice of the General Assembly in the premises. And as the principal crime for which Mr. Collins had been deposed, was committed within the limits of the General Association of Connecticut, which had formerly taken cognizance of the offence, the Presbytery requested the co-operation of the Assembly for bringing the case before the Association for their advice.

The Assembly having taken this subject into consideration, and obtained the necessary information,

Resolved, 1st. That they cannot advise the Presbytery of New York to restore Mr. Collins under existing circumstances.

2d. That this Assembly comply with the latter request made by the Presbytery of New York; they accordingly did and hereby do enjoin it on their delegates to the next General Association, to take the necessary measures for bringing this subject before that body for their advice."—*Minutes*, 1805, p. 335.

The letter [of the General Association of Connecticut] was read, ordered to be recorded, and is as follows:

"The General Association of Connecticut having taken into consideration the case of Mr. Aaron C. Collins, who has been deposed from the office of the gospel ministry, on account of an aggravated sin, by which he has brought scandal on himself and the ministry, and having attended to documents and vouchers, presented by the delegates from the General Assembly of the Presbyterian Church, were

happy to hear the profession of penitence made by Mr. Collins, and the testimony by which it was accompanied to prove it sincere.

But as it appeared that he had only partially submitted to the sentence of deposition, and continued, during part of the time he lay under censure, to exercise the functions of a gospel minister, and that he had made no retraction for such disorderly conduct, therefore they agree with the General Assembly of the Presbyterian Church, that under existing circumstances, it would not be conducive to the interests of religion for the Presbytery of New York to restore Mr. Collins to the office of the gospel ministry.

Extracts from the doings of the General Association at their annual session in Guildford, Connecticut, June 18, 1805.

CALVIN CHAPIN, }
SAMUEL GOODRICH, } Scribes of
 } Association.”
 . —*Minutes*, 1806, p. 349.

A suspended minister may, by the direction of the Assembly, be restored, on the ground that the ends of discipline have been answered in his case by his lying under the sentence several years.

“The second order of the day was taken up, viz. the complaint and memorial of Archibald McQueen, against the Presbytery of Fayetteville. The Moderator having reminded the members that they were about to sit in a judicial capacity, the papers in the case were read in due order, and the original parties were fully heard.

After which, the following resolution was, on motion, adopted, viz.

Resolved, That the prayer of the memorialist be granted so far as that this General Assembly recommend to the Presbytery of Fayetteville to reconsider their decision in the case of the Rev. Archibald McQueen; and if, in their judgment, it should appear conducive to the peace of the church, and the promotion of religion in the region around them, to restore Mr. McQueen to the communion of

the church, and to the exercise of the functions of the gospel ministry, on the ground that in his case the ends of discipline are attained by the operation of the sentence under which Mr. McQueen has been lying for a period of three years.”—*Minutes*, 1845, p. 32.

A deposed minister irregularly restored cannot be deprived of his office, except by a new process and conviction.

“The business left unfinished on Saturday was resumed, viz. the appeal of the Presbytery of Onondaga, from a decision of the Synod of Geneva, relative to the restoration of the Rev. John Shepherd to the gospel ministry, who had been deposed by the Association of Fairfield, Connecticut. After considerable discussion of the subject, the following resolutions were adopted, viz.

Resolved, That the decision of the Synod of Geneva, relative to the restoration of the Rev. John Shepherd to the office of the gospel ministry, so far as it censures the restoration of said Shepherd, who was deposed by a judicatory of the Church of Christ in fellowship with us, be and hereby is confirmed; because it did not appear from the records of the Presbytery of Onondaga, that said restoration took place in consequence of any confession of the alleged crime for which the said Shepherd was deposed, or of any profession of penitence for it, or of any conference with the judicatory which deposed him.

2. That the appeal of the Presbytery of Onondaga, so far as it relates to the rescinding of their vote to restore the Rev. John Shepherd, be and hereby is sustained, on the second reason of appeal, and upon that alone; because the Assembly judges that a minister of the gospel, when once restored by Presbyterial authority, cannot be deprived of his office, except it be by a new process and conviction.”—*Minutes*, 1818, p. 687.

“The Committee to which was recommitted the letter from the Presbytery of Harmony, relative to the restoration of Dr. Kollock, reported, and their report being read and amended, was adopted, and is as follows, viz.

The General Assembly sympathize with you in the painful business detailed to them, and lament the unpleasant events which have taken place relative to Dr. Kollock. And it would afford the Assembly no small degree of pleasure fully to comply with the request of the Presbytery, and in such manner as to remove their difficulties and heal the wounds which have been inflicted. It will be admitted by all that the decisions of the Assembly should be marked with correctness and wisdom, and it will be as generally admitted that it is highly needful to enable them to do this, that they have a correct and clear view of the cases or facts on which they are to decide. The Presbytery of Harmony request the Assembly to examine their conduct, and to censure or support them, as they shall appear to have done right or wrong. The Assembly are ready to do this, and it is believed will cheerfully do it as soon as the records of the Presbytery of Harmony, which relate to this subject, shall be fully before them. In the meantime, it is with pleasure that the Assembly reflect that the Presbytery of Harmony, by carrying this subject to the Synod of which they are a constituent part, may probably obtain a more speedy relief than they could receive in the event of waiting for the decision of the next General Assembly.”—*Minutes*, 1816, p. 615.

A Presbytery may refuse to restore a minister after the Synod has reversed their decision in suspending him from the ministry, and from the communion of the Church.

“The order of the day was taken up, and the Assembly sat in a judicial capacity on the complaint of F. H. Porter, against the Synod of Alabama, for sus-

taining the Presbytery of Tombeckbee, in refusing to restore the Rev. Thomas Davis after the Synod had sustained his appeal against the Presbytery, and reversed the decision of the Presbytery suspending him from the ministry and from the communion of the Church.

The complaint was read, and Mr. Alexander Smith was heard on behalf of Mr. Porter. The Synod was then heard, and after debate, the question was put, Shall the complaint be sustained? and decided in the negative."—*Minutes*, 1843, p. 176.

The name of a suspended minister should be retained on the roll of the Presbytery till they proceed to the higher censure.

The Records of the Synod of Northern Indiana are approved except that "on page 54 the Synod censure the Presbytery of Michigan for retaining the name of Mr. Nicoll on the roll, after suspending him from the gospel ministry. Your Committee are of the opinion that the name of a suspended minister should be retained on the roll of Presbytery till they proceed to the higher censure, though he be deprived of the exercise of his ministerial functions."—*Minutes*, 1847, p. 398.

A suspended minister ought not to be regarded as occupying the ground of a common Christian in good standing.

The Records of the Synod of Geneva are approved, except "in pages 270 and 271, where the conduct of the Presbytery of Ontario is censured for condemning the conduct of Mr. Foreman, a suspended minister, for exercising the rights of a common Christian in illustrating Scripture and delivering exhortations, because, without deciding on the rights of common Christians in this matter, Mr. Foreman being suspended from the ministry, ought by no means to be considered as occupying the ground of a common Christian in good standing."—*Minutes*, 1821, p. 10.

The names of deposed ministers in certain cases to be published.

“*Resolved*, That it be recommended to the Presbyteries under the care of the General Assembly, when they shall depose any of their members from the exercise of the ministerial office; and when any person so deposed shall, without having been regularly restored, assume the ministerial character, or attempt to exercise any of the ministerial functions, that in such case, with a view to prevent such deposed person from imposing himself on the churches, Presbyteries be careful to have his name published in the Assembly’s Magazine, as deposed from the ministry, that all the churches may be enabled to guard themselves against such dangerous impositions.”—*Minutes*, 1806, p. 360.

Deposition from the ministry, and excommunication, to be regarded as distinct things.

“The Records of the Synod of Geneva are approved, with the exception of a resolution, which declares that a deposed minister ought to be treated as an excommunicated person. In the judgment of this Assembly, the deposition and excommunication of a minister are distinct things, not necessarily connected with each other, but when connected, ought to be inflicted by the Presbytery to whom the power of judging and censuring ministers properly belongs.”—*Minutes*, 1814, p. 549.

“Overture No. 20. A question submitted by John Warnock, of Alabama, *Does deposition from the ministry exclude from church privileges?* The Committee recommended the following resolution, which was adopted, viz.

“*Resolved*, That though the causes which provoke deposition, are almost always such as to involve the propriety of exclusion from the sacraments, yet the two sentences are not essentially the same, the one having reference to office, and the other to the rights of membership; and, therefore, Presbyteries should

be explicit in stating both, when they mean both. When, however, a Presbytery interpret deposition to involve suspension from the sacraments, and pronounce the censure in that sense, the sentence obviously includes both.”—*Minutes*, 1848, p. 34.

OF WITNESSES.

[Book of Discipline, Chapter VI.]

II. *Where a married woman is the accuser, can she and her husband be admitted as witnesses?*

“The Assembly went into the consideration of the case reported by the Presbytery of Ohio, which was in the following terms, viz. “A certain married woman charges an unmarried man with immodest conversation and conduct in attempts upon her chastity, of which her husband and another, or indifferent person, were at a certain time witnesses. Whereas our Constitution declares that a person accused shall not be convicted by a single witness, can the said woman and her husband be admitted witnesses in the above case?”

To the above question, the Assembly answered, that in all such cases as that submitted by the Presbytery of Ohio, it is a principle that both the husband and wife are to be admitted to give testimony. But in every particular case as it occurs, the judicature before whom it is tried, ought, in order to guard against collusion, to pay a very scrupulous regard to all the circumstances attending it, and especially to the characters of those who are admitted as evidences, so that on the one hand the necessity of the case may be consulted, and on the other, that no injury may result to an innocent person.”—*Minutes*, 1797, p. 128.

“The following question, signed by Wm. C. Davis, Whether, testimony taken before a session and sent up to the Presbytery under the signature of Moderator and Clerk, will not be sufficient in references as well as appeals, to render the case thus referred both orderly and cognizable by Presbytery? was answered in the affirmative.”—*Minutes*, 1797, p. 128.

Administering Oaths.

* IX. The Committee appointed to draught an answer to the following question, overtured from the Presbytery of Georgia, viz. Whence do the General Assembly derive authority to empower Moderators to administer an oath?—reported the following, which was adopted, viz. “As the Bible does not point out the particular occasions when oaths are to be used, nor the persons who are to administer them, these circumstances are left to the discretion of individuals and communities. The necessity of oaths is founded in expediency, and all associations, whether civil or ecclesiastical, have a right to use them for confirmation when, in the exercise of a sound discretion, they are deemed important. It is lawful for every community in the compact, on which their union is founded, to point out the cases in which oaths shall be used, and who shall administer them. The authority of Moderators in the Presbyterian Church to administer oaths, is not derived from the General Assembly, but from the Constitution, or articles of compact, which our churches have adopted, and by which they have agreed to be governed as a Christian community. It may be proper also to add that the oaths prescribed by ecclesiastical authority, and administered by civil authority, in no respect interfere with our relations to civil society, nor can the administering of them, if rightly viewed, be considered as a violation of those laws of the State which prescribe the manner in which civil oaths shall be administered.”—*Minutes*, 1823, p. 145.

OF THE VARIOUS WAYS IN WHICH A CAUSE MAY BE CARRIED FROM A LOWER TO A HIGHER JUDICATORY.

[Book of Discipline, Chapter VII.]

Can a General Assembly reverse a decision of a former General Assembly.

II. "This Assembly has no authority to reverse the judicial acts of a former General Assembly, except in cases of such palpable error as would manifestly tend to interfere with the substantial administration of justice."—*Minutes*, 1824, p. 213.

The inferior judicatories may send up remonstrances against decisions of the General Assembly.

"A remonstrance was presented by the Synod of New York and New Jersey, against a decision of the Assembly of last year, by which they determine that 'it is unconstitutional for the Synod of New York and New Jersey to enact that future candidates who have the gospel ministry in view shall be required to attend to the study of divinity at least three years before licensure.'

Whereupon it was moved that this Assembly reconsider the above decision, which was agreed to. And whereas, it appeared that there was no appointment made by the Synod of New York and New Jersey of any particular persons to advocate their cause, the Assembly desirous to receive all the light they can on the subject, *Resolved*, That every member of that Synod who may be present, shall have liberty to offer what he may think necessary for or against the remonstrance; at the same time it was, *Resolved*, That this act of the Assembly ought not to be used as a precedent."—*Minutes*, 1793, p. 72.

SECTION III.—*Of Appeals.*

II. *A minister being refused admission to membership on certificate, by a Presbytery, may appeal.*

“Nevertheless it is the privilege of every Presbytery to judge of the character and situation of those who apply to be admitted into their own body, and unless they are satisfied, to decline receiving the same. A Presbytery, it is true, may make an improper use of this privilege, in which case the rejected applicant may appeal to the Synod or the General Assembly.”
—*Minutes*, 1825, p. 265.

A Synod having refused to review, at the request of a Presbytery, a minute adopted by them at their last meeting, an appeal was taken and entertained.

[The Synod of Philadelphia having been overtured by New Castle Presbytery to review the minute of their last meeting in Mr. Hindman's case, and to take into consideration the conduct of Lewes Presbytery, in reference to his licensure, refused to grant the request. Dr. Robert Smith, Dr. Green, Dr. Nathan Grier, and others, complained and appealed, and gave information that “we will bring this affair in all its merits before the Assembly.” The appeal was entertained by the Assembly.]—*Minutes*, 1792, p. 53.

A Session may appeal from an order of Synod and Presbytery, directing them to convene the congregation for an election of a pastor.

“An appeal of the session of the Third Presbyterian Church of this city, from the decision of the Synod of Philadelphia, affirming a decision of the Presbytery of Philadelphia, in which decision the Presbytery required the session to convene the congregations for the purpose of electing a pastor, was

overtured and made the order of the day for the afternoon." The appeal was afterwards sustained.—*Minutes*, 1814, pp. 551, 559.

An appeal may be taken from a decision, determining that in a certain case there were grounds of appeal.

"An overture was brought in containing an appeal taken by the Presbytery of Philadelphia from a decision of the Synod of Philadelphia, in which the Synod had determined there was ground for an appeal, taken by persons styling themselves Commissioners from the Third Presbyterian Church, from a decision of the Presbytery of Philadelphia, [dismissing a protest and remonstrance of certain members of said church, and relative to certain positions adopted by said Presbytery.] This overture being read, was made the order of the day for to-morrow morning."—*Minutes*, 1814, p. 550.

Where a Presbytery has refused to put a call into the hands of a minister, or to give leave to prosecute a call, an appeal will lie.

[An appeal from a decision of the Synod of Philadelphia, affirming a decision of Carlisle Presbytery, by which they refused to place a call from the congregation of Carlisle in the hands of the Rev. Henry R. Wilson, was taken up and not sustained.]—*Minutes*, 1814, pp. 547, 548.

"The Assembly proceeded to consider the appeal of the Presbytery of Hudson, from a decision of the Synod of New York and New Jersey, reversing a decision of said Presbytery, by which the Presbytery determined not to give leave to the congregation of Goodwill, to prosecute, before the Presbytery of New York, a call which they had prepared for the Rev. William Gray, a member of that Presbytery." The appeal was sustained.—*Minutes*, 1817, pp. 643, 644.

A Synod having dissolved a Presbytery, erected by the Assembly within its bounds, an appeal by the Presbytery was received and sustained.

“The Committee appointed to form a minute expressive of the vote of the Assembly on the appeal and complaint of the Second Presbytery of Philadelphia, reported the following resolution, which was adopted, viz.

Resolved, 1. That the appeal and complaint of the Second Presbytery of Philadelphia, against the Synod of Philadelphia, be and the same are hereby sustained, and the act of said Synod, so far as it was intended to unite the said Second Presbytery with the Presbytery of Philadelphia, is hereby declared void.

2. That this resolution shall not be so construed as to affect the integrity of the Presbytery which was constituted under the order of the Synod of Philadelphia, by the name of the Second Presbytery of Philadelphia, in November last, but the same is hereby recognized as a constituent part of the Synod of Philadelphia. The Assembly, however, recommend to the Synod to change the name of said Presbytery.”—*Minutes*, 1834, p. 17.

A Synod having refused to give geographical limits to a Presbytery erected by the Assembly within its bounds, an appeal was received and sustained.

[The appeal and complaint of the Second Presbytery of Philadelphia, against the Synod of Philadelphia, for rejecting their petition, and refusing to consider their request to have geographical limits assigned them, were sustained, and boundaries set according to their petitions.]—*Minutes*, 1836, pp. 242, 276, 277.

Appeal from the decision of a Presbytery dividing a Church.

“The unfinished business of the morning was resumed, viz. The appeal and complaint of Thomas

Bradford, Esq., and others, against a decision of the Second Presbytery of Philadelphia, dividing the Fifth Presbyterian Church in Philadelphia into two churches.

The calling of the roll was finished when the final vote was taken. The question was put, Shall the appeal and complaint be sustained? and was carried in the affirmative. Whereupon it is ordered and decreed by this General Assembly, that the act and decision of the Second Presbytery of Philadelphia, which divides the Fifth Presbyterian Church of the city of Philadelphia into two distinct churches, be and the same is hereby reversed, and the said Presbytery is hereby directed to restore to the session of said church, the book of minutes of said session."—*Minutes*, 1835, p. 19.

An appeal will lie from a decision relative to a call and installation.

"The appeal and complaint of Thomas Bradford, and others, from a decision of the Second Presbytery of Philadelphia, relative to the installation of Mr. Duffield, were taken up. The appeal, with the reasons of it, and all the documents in the case were read. The parties were heard, and were then considered as withdrawn from the house. The roll was called to give the members an opportunity of expressing their opinion. After which, the final vote was taken, and the appeal and complaint were sustained.

The following resolution was then adopted as explanatory of the above decision, viz.

That the appeal be sustained, and the acts of the Presbytery in relation to the call and installation of Mr. Duffield, be and they hereby are reversed."—*Minutes*, 1835, p. 33.

Appeals may not lie in cases not judicial.

"On motion, Judicial Business No. 2, viz. the complaint of A. D. Metcalf, &c. against the Synod of Virginia, for deciding that appeals may lie in cases

not judicial, was taken up. The decision complained of, the reasons of complaint assigned by the complainants, and the whole record of the Synod in the case were read. The complainants were heard in support of their complaint. The Synod were heard in defence of their decision. The roll was called, that each member of the Assembly might have an opportunity of expressing his opinion. After which, the vote was taken, and the complaint was sustained.” —*Minutes*, 1839, p. 160.

A Synod having refused to adopt an overture and send it to the Assembly, an appeal will not lie.

[Two papers were offered by Dr. Breckinridge, for the adoption of the Synod of Philadelphia; the one relating to the constitution of a quorum in Presbytery, and the other to the imposition of hands by ruling elders in the ordination of ministers of the gospel. In relation to each paper, the question on which the Synod voted, was: Shall this paper be adopted? The Synod, by a large majority, refused to adopt these papers.]

“The Judicial Committee having had under consideration No. 1, the appeal and complaint of the Rev. Robert J. Breckinridge, D.D., and others, against a decision of the Synod of Philadelphia, on the quorum question; and No. 2, The appeal and complaint of the Rev. R. J. Breckinridge, D.D., and others, against a decision of the Synod of Philadelphia, on the question of the imposition of hands in ordination, report, that in their opinion the Form of Government and Discipline of the Presbyterian Church, do not authorize the appellants and complainants to bring before the General Assembly, either an appeal or complaint in the cases referred to.” The report was adopted.—*Minutes*, 1844, p. 366.

A minister may not appeal from the act of Presbytery dissolving his pastoral relation.

“Judicial Case, No. 4, was, on motion, taken up, viz. The appeal of Dr. John Skinner, against the

Synod of Virginia, for deciding that his appeal from the Presbytery of Lexington could not lie, and praying that it may be remanded to said Synod for trial." The appeal was not sustained.—*Minutes*, 1848, p. 53.

V. *Where an appellant having given notice of his appealing to the Synod, subsequently declares his intention of appealing to the Assembly, the Assembly dismisses the appeal.*

"The appeal of Mr. Charles Yale, from a sentence of the Presbytery of Bath, deposing him from the gospel ministry, was taken up and dismissed, because it appeared that Mr. Yale gave notice to said Presbytery that he should appeal to the Synod of Geneva, several days before he signified his desire to the Moderator of Presbytery to appeal to the General Assembly."—*Minutes*, 1826, p. 36.

Where notice was given to the Presbytery the day after sentence was passed, of an appeal to the Assembly, and the reasons of appeal were subsequently sent by mail to the Stated Clerk of Presbytery, complaint was made to the Assembly of the Presbytery's neglect to comply with the constitutional rules, it was held that the papers presented, from their insufficiency and want of form, are not to be considered as the commencement of a cause, or the entry of an appeal before the Assembly.

The enlarged Committee in the case of Mr. Bourne, presented their report, and their report being read was adopted, and is as follows, viz. "Mr. Bourne's petition states a decision to have passed against him in Lexington Presbytery, which, by a supplementary paper, he says was on the 27th of December last, and contained a sentence of deposition, from which, on the next day, he gave notice to the Presbytery that he claimed an appeal to the General Assembly; by his affidavit, taken before an Alderman of this city, he further declares, he, by the permission

of the Presbytery, transcribed the minutes of their proceedings; that he afterwards wrote in-form what he denominates an appeal, (meaning it is presumed his causes of appeal,) and transmitted it to the clerk of the Presbytery, with a demand of the copy of the records and of that paper; but that he had received a letter from the clerk, refusing to remove them from the post-office. By his petition, he asks to prosecute his cause before the Assembly without having first brought his case before the Synod of Virginia; and that if such hearing cannot be granted to him at present, the Assembly will assign him a day." [The general decision of the Assembly was that the three papers presented by Mr. Bourne, are not to be considered as the commencement of a cause, or the entry of an appeal in this judicatory.]—*Minutes*, 1816, p. 626.

VI. *Appeals may be carried directly to the highest court.*

"Inasmuch as the request of Mr. Bourne, to be tried on an appeal before the General Assembly, rather than the Synod, may be reasonable; and, inasmuch as the words of our Constitution, viz. "The Assembly shall receive and issue all appeals and references which may be regularly brought before them from the inferior judicatories, &c." have been interpreted favourably to such a request; the General Assembly do order that a certified copy of the records of the Lexington Presbytery, in this case, be duly made and transmitted to the next Assembly, unless the Synod of Virginia, to which the Assembly can have no objection, shall have previously received the appeal, but that this constitutional question, as well as the merits of the case, shall remain open for discussion at that time."—*Minutes*, 1816, p. 626.

"*Resolved*, That the records of the Synod of Virginia be approved, except their censure of the Presbytery of Lexington, for allowing an appeal from their decision directly to the Assembly, without no-

ticing the supposed irregularity of such appeal.”—*Minutes*, 1818, p. 688.

The Assembly will not entertain appeals from decisions of Presbyteries, where no reasons are assigned for not carrying the case to the Synod.

Mr. Matthew H. Rice having appealed from a decision of East Hanover Presbytery, it was *Resolved*, “That the appellant have leave to withdraw his appeal on the following ground, viz.—no reasons are assigned by the appellant for making this appeal to the General Assembly, instead of the Synod.”—*Minutes*, 1830, p. 24.

VII. *The rule is virtually complied with when, through ignorance, the appeal is lodged in due time with the Chairman of the Judicial Committee.*—*Minutes*, 1830, p. 28.

VIII. *By consent of both parties, a paper may be read, not as part of the record, but as containing matter important to the appellant.*

“The following papers were offered and ordered to be entered on the Minutes, viz.

I offer to the Assembly the paper called “An Appendix,” as the records furnished by the Presbytery in my case, and request that it may be read as containing evidence which I deem important, which was before the Presbytery, and which was not before the Synod.

ALBERT BARNES.”

The prosecutor in the case of Mr. Barnes, and the Committee appointed by the Synod of Philadelphia, to defend their decision in the same case, hereby agree to the introduction of a document entitled “An Appendix,” &c. Not, however, as a part of the records of the inferior judicatory, but as testimony adduced by the appellant to substantiate any statements he has made, or may yet make.

GEORGE JUNKIN,	} Committee of Synod of Phila'a.
S. G. WINCHESTER,	
G. W. MUSGRAVE,	
DAVID MCKINNEY.	

The document called the Appendix, numbered from pp. 1 to 58 inclusive, containing the trial, testimony of the parties, Junkin and Barnes, and final decision of the Second Presbytery of Philadelphia, in the said case of Junkin and Barnes, was read.”—*Minutes*, 1836, p. 256.

The yeas and nays and matters foreign to the issue may be passed over in reading the proceedings of the body appealed from, unless called for by one of the parties.

“Resolved, That in reading the Minutes of Lexington Presbytery, the names of the voters in calling the yeas and nays be omitted, unless called for by one or other of the parties litigant; and that the proceedings of Presbytery, in reference to other matters foreign to the issue before us, be also omitted, unless called for specially by one of the parties.”—*Minutes*, 1848, p. 30.

The calling of the roll being completed, an elder, who was not a member of Synod at the time of trial, and who was not heard when the members of the inferior judicatory were called on, cannot be allowed to speak, as the proper time has passed.

“Judicial case No. 2, was resumed, and the calling of the roll completed. John F. Phifer, ruling elder of the Presbytery of Concord, and Synod of North Carolina, not having been a member of the Synod on the trial of Mr. Davies, and not having been heard in the Assembly when the members of the inferior judicatory were called on, desired to be heard now. On motion, Resolved, That the request be not granted, as the proper time had passed by, and the refusal be entered on the Minutes.”—*Minutes*, 1849, p. 262.

IX. *The withdrawing is to be taken in the obvious and literal sense.*

“The Moderator having decided that the rule requiring the parties to withdraw, should be understood

in the obvious and literal sense, an appeal was taken from his decision, and the decision was sustained by a large majority.”—*Minutes*, 1848, p. 40.

The roll being called, they are to give their opinions without reasons.

“*Resolved*, That during the remaining sessions of this Assembly, it shall be understood, that when the roll is called, in the trial of any case, the members shall be confined to the giving of their opinion without reasons, according to the letter of the constitutional rules.”—*Minutes*, 1836, p. 276.

X. *Sentence of suspension will be reversed where there has been precipitancy and neglect of the rules by the Presbytery.*

“The Assembly sustained the appeal of Mr. Arthur, from the sentence of the Presbytery by which he was suspended from the gospel ministry, on the ground of contumacy, because the Presbytery appeared to have been precipitate, and not to have observed the constitutional rules. (See Discipline, Chap. iv. Sects. 6, 10, 11.) They deem, too, the request of Mr. Arthur for a copy of the first sentence, to have been reasonable, and that it ought to have been complied with.”—*Minutes*, 1822, p. 25.

A disproportionate sentence will be reversed, and the Presbytery directed to restore the appellant after admonition and suitable acknowledgment.

“It being the order of the day, the Assembly proceeded to consider the appeal of Mr. Jabez Spicer, from the decision of the Synod of Geneva, by which Mr. Spicer had been deposed from the gospel ministry. The documents on the subject were read, and the parties were heard. After a considerable discussion, the following resolution was adopted, viz.

Resolved, That the appeal of Mr. Spicer be sustained, on the ground that the sentence pronounced on him was disproportioned to his crime, it not ap-

pearing substantiated that he was guilty of more than a single act of prevarication; while, therefore, the Assembly express their entire disapprobation of the conduct of Mr. Spicer, as unbecoming a Christian and a Christian minister, they reverse the sentence of deposition passed upon him by the Presbytery, and direct that, after suitable admonitions and acknowledgments, he be restored to the ministerial office."—*Minutes*, 1821, p. 16.

Where the charges are not fully substantiated, and the sentence is too severe, the sentence will be reversed, and a new trial be ordered.

"The discussion left unfinished yesterday afternoon was resumed, viz. of the motion to reverse a decision of the Presbytery of Lexington, by which decision Mr. George Bourne was deposed from the gospel ministry. This motion, after it had been amended and fully discussed, was determined in the affirmative, and is as follows, viz.

The Assembly judge that the charges in the case of Mr. Bourne were not fully substantiated, and that if they had been, the sentence was too severe. Therefore, *Resolved*, That the sentence of the Presbytery of Lexington, deposing Mr. Bourne, be reversed, and it is hereby reversed, and that the Presbytery commence the trial anew."—*Minutes*, 1817, p. 646.

Where a minister has been suspended for certain opinions expressed by him, and there has been irregularity in the nature of the testimony, and misunderstanding as to his opinions, the Presbytery must reconsider the case, to give the appellant another opportunity of explaining his opinions.

"The business left unfinished yesterday, viz. the consideration of the appeal of Mr. Todd from the decision of the Synod of Kentucky, affirming a decision of the Presbytery of Transylvania, by which decision Mr. Todd was deposed from the gospel ministry, and after considerable discussion of the subject of the appeal, the following resolution was adopted, viz.

The Assembly having heard the documents in this case, were of opinion that the way is not clear at present for a reversal of the sentence of suspension; but as it appears to the Assembly that Mr. Todd's opinions have not been perfectly understood; and whereas, there appears to have been some irregularity as to the nature of the testimony admitted on the trial before the Presbytery; therefore, *Resolved*, That the Presbytery of Transylvania be directed to reconsider the case of Mr. Todd, to afford him another opportunity of explaining himself, and if they should be satisfied, to restore him to his former standing."—*Minutes*, 1817, p. 666.

Where a sentence of suspension has been reversed for exceptionable irregularity, the Presbytery may institute a new trial, or the appellant may demand one. No process being commenced within a certain time, he may claim a dismissal in good standing.

"The Committee appointed to prepare a minute expressive of the sense of the Assembly, concerning the appeal of Joseph E. Bell, reported the following resolutions, which were adopted, viz.

1. *Resolved*, That in the judgment of the Assembly, Mr. Bell was and still continues to be fully amenable to the Presbytery of Concord.

2. That while the Assembly do not wish to protect the guilty, they do judge that great caution, deliberation, and, as far as may be, the rules of discipline, where ministerial character is impeached, ought to be strictly observed, and that in this case the informality was exceptionable.

3. That if it be deemed necessary for the good of religion and the honour of the ministerial character, the Presbytery of Concord are entirely competent to commence a new trial; or if Mr. Bell shall desire, for his own sake, a new trial, the door is still open.

4. That in the meantime, Mr. Bell's ministerial standing shall be considered regular, and if no process shall be commenced by either party within the space of six months from the first of June next, then

Mr. Bell may claim from the Presbytery of Concord a dismissal, declaring him to be in regular standing.”—*Minutes*, 1828, p. 238.

In reversing a sentence of suspension, the Assembly suggests what would have been a sufficient censure.

“The Committee appointed to prepare a minute to be adopted on the subject of the appeal of David Price, from the decision of the Synod of Geneva, made a report, which being read and amended, was adopted, and is as follows, viz.

The Assembly sustain the appeal of David Price, from the decision of the Synod of Geneva, on the ground that the charge of intoxication was not sufficiently supported by the testimony; although it does appear, principally from his own confession, that he had made an unbecoming use of ardent spirits, and that an admonition was, in the view of the Assembly, deserved, and would have been sufficient.”—*Minutes*, 1825, p. 274.

“The Committee appointed to draw a minute on the subject of the memorial, from the session of the First Church in Genoa, reported the following, which was adopted, viz.

Resolved, That the Church of Genoa be referred to the minute of the Assembly formed in the case of David Price, in the year 1825, from which it will appear that, in the judgment of the Assembly, an admonition was deserved by the said Price, in consequence of his unchristian conduct. And it is the judgment of this Assembly, that the session ought immediately to have administered such admonition; that they ought still to administer it; and that if the said Price refuse to submit to such admonition, or do not thereupon manifest repentance and Christian temper to the satisfaction of the Church, he ought not to be received into the communion of that or of any other Presbyterian church.”—*Minutes*, 1827, p. 116.

The Assembly sets aside the entire proceedings in an appeal case.

“The Assembly resumed the unfinished business of this morning, viz. the appeal of persons claiming to be the church of St. Charles. The calling of the roll was concluded.

Resolved, That the Assembly herein sustain the appeal *pro forma*, and orders the entire setting aside of all the proceedings in the whole case in all its stages, from the time that notice was first given to call a meeting of the congregation for the election of the three elders, and directs all the parties to stand precisely where they did before any step was taken in it.”—*Minutes*, 1838, p. 19.

“The Committee to whom was referred Overture No. 3, in relation to difficulties in the Church of St. Charles, made a report of a minute, which was adopted, as follows, viz.

Resolved, That this Assembly understands the act of the Assembly of 1838, as sustaining the appeal of Rev. Hiram Chamberlain, not upon the merits of the case but on account of informality of the courts below, and that “in the entire setting aside of all the proceedings in the whole case,” they intended not only to annul the past, but also to forbid all subsequent action contrary to the will of the regularly constituted authorities of that church, and they hereby declare any such unconstitutional action that may have been had by any person, or persons, in connection with that church, to be null and void.”—*Minutes*, 1840, p. 302.

It is irregular in sustaining a judgment of the court below, to pass a new censure on the appellant.

“The business left unfinished yesterday was resumed, viz. the consideration of the following motion in the case of Newton Hawes’ appeal, from a decision of the Synod of Genessee, affirming a decision of the church of Warsaw, by which Mr. Hawes was suspended from the ordinances of the church, viz. that in relation to

the petition of Newton Hawes, the Assembly order that the Synod of Genessee be directed, at their next session, to hear and issue his complaint.

The consideration of this motion was postponed, and the following resolution was submitted to the Assembly, and adopted, viz.

Resolved, That the General Assembly having heard and considered in detail the circumstances and merits of the appeal of Newton Hawes, are of the opinion that in the proceedings of the Synod of Genessee in the case, there appears to be nothing irregular or censurable until they come to their last decision, in which they pass a new and severe censure on the appellant. In this particular, the Assembly judge that the proceedings of the Synod were not regular, inasmuch as they inflicted a new censure without a new and regular trial. Had the Synod contented themselves with approving the doings of the church of Warsaw, in declining to restore the appellant to their communion, and left him in the condition of a suspended member, they would have acted with entire regularity; but not pausing at this point, the Assembly consider them as acting on matters not regularly brought before them; and, therefore,

Resolved, That the sentence of the Synod, requiring the appellant to make a new and second confession, be reversed, and it is hereby reversed, and that the other part of their proceedings and decision be affirmed, and they are hereby affirmed."—*Minutes*, 1823, p. 124.

Judgment against circulating evil reports when it is not shown that it was done in the due performance of some indispensable duty.

"The Assembly resumed the unfinished business of the morning, viz. the appeals of the session of the church of Bloomington, and of Dr. Wylie. Calling the roll was finished. After which, the final vote was taken, when it was

Resolved, That the Assembly sustain the appeals of the session of the church of Bloomington, and of

Dr. Wylie, against a decision of the Synod of Indiana, and the judgment of the Presbytery and session is hereby confirmed, on the ground that Mr. Harney circulated evil reports against Dr. Wylie, without showing that he did it in the due performance of some indispensable duty; but it is the judgment of this Assembly, that Mr. Harney shall still have the privilege, if he desire it, of commencing a prosecution against Dr. Wylie before the Presbytery of Vincennes, and in such case, said Presbytery are hereby authorized and directed to hear the whole cause and issue the same in a constitutional way.”—*Minutes*, 1834, p. 29.

The case will be sent back for reconsideration where no express vote was taken in the Synod on sustaining the appeal, and where the sentence was vague and inconsistent with itself.

“On motion, the Assembly took up the unfinished business of May 29th. viz. the appeal of Dr. Wylie against the Synod of Indiana. * * After having heard part of the documents read, the further reading was arrested and the following resolution was adopted, viz.

Resolved, That inasmuch as the Synod of Indiana did not take an express vote on sustaining the appeal of Mr. Harney, and the sentence on record is vague and inconsistent with itself, the whole case be remitted to the said Synod, with an injunction to them to reconsider the same and pass a definite, precise and just sentence.”—*Minutes*, 1837, p. 479.

XI. *Where there is a failure to prosecute an appeal, the respondents may enter their protest against the further prosecution of it.*

“On motion, *Resolved*, That in case of an appeal or complaint, entered in an inferior judicatory to a superior, if the appellant or appellants do not appear at the first meeting of the superior judicatory, protest may be admitted at the instance of the respondents, at the last session of such meeting, that the appeal is

fallen from, and the sentence so appealed from shall be considered as final.”—*Minutes*, 1791, p. 39.

[A protest was admitted in behalf of the Synod of the Carolinas, that an appeal of Abingdon Presbytery from their judgment, was not prosecuted, and the judgment became final.]—*Minutes*, 1791, p. 45.

“The Committee to which was referred the letter and appeal of the Rev. Thomas B. Craighead, reported, that after having carefully attended to the duty assigned them, they did not discover any sufficient reason why he has not come forward to prosecute his appeal before the Assembly, nor why his case should not now be brought to issue; and, therefore, recommended that the representation from the Synod of Kentucky, be permitted, if so disposed, to enter their protest in proper time against a future prosecution of his appeal, and thus give effect to a standing order of the General Assembly, that the sentence of the Synod be considered as final.

Resolved, That the foregoing report be accepted, and that Mr. Craighead be furnished with an attested copy of this decision in his case.

The members of the Synod of Kentucky brought forward their protest, which being read was accepted, and is as follows, viz.

The Rev. Thomas B. Craighead having appealed to the General Assembly from a decision of the Synod of Kentucky, made in the month of October last, by which decision the said Synod directed the Presbytery of Transylvania to depose the said Thomas B. Craighead from the gospel ministry, which was done accordingly; and whereas, the said Mr. Craighead has not prosecuted his appeal to the General Assembly, and the subscribers, members of the Synod of Kentucky, have waited till the last day of the sessions of the Assembly, to afford opportunity for the prosecution of said appeal, we do, therefore, now protest, in our own name, and on behalf of the Synod

of Kentucky, against the future prosecution of said appeal, and declare the sentence of the Synod to be final, agreeably to a standing order of the General Assembly.

[Signed]

JAMES HOGE,
M. G. WALLACE,
J. P. CAMPBELL."

—*Minutes*, 1811, p. 481.

"Personal attendance on the superior judicatory is not essential to the regular prosecution of an appeal."—*Minutes*, 1822, p. 25.

A protest having been admitted through an erroneous construction of the words, "fail to prosecute," leave was given to appeal after a lapse of eleven years.

"The business left unfinished in the morning, viz. the consideration of the report of the Committee to which had been referred the Rev. T. B. Craighead's letter, was resumed, and the report was adopted, and is as follows, viz.

In the year 1811, an appeal from a decision of the Synod of Kentucky, by T. B. Craighead, accompanied by a letter from the same, was laid before the General Assembly. But Mr. Craighead not appearing in person to prosecute his appeal, permission was given by the Assembly, on the last day of their sessions, to the members of the Synod of Kentucky, who were present, to enter a protest against the prosecution of the aforesaid appeal at any future time.

This was supposed to be required by a standing rule of the Assembly. The appeal of Mr. Craighead was therefore not heard, and the sentence of the Synod of Kentucky was rendered final.

It moreover appears that the General Assembly of the year aforesaid, having adopted the protest of the members of the Synod of Kentucky as their own act, did declare that Mr. Craighead had been deposed, whereas the decision of the Synod was suspension; and although the Synod did direct the Presbytery to which Mr. Craighead belonged, to depose him, if he did not at

their next stated meeting retract his errors; yet, this sentence could not have been constitutionally inflicted, because Mr. Craighead appealed from the decision of Synod, the effect of which was to arrest all further proceedings in the case until the appeal should be tried; therefore, the sentence of the Assembly declaring Mr. Craighead deposed, does not accord with the sentence of the Synod, which was suspension.

From the above history of facts, your Committee, while they entirely dissent from many of the opinions contained in Mr. Craighead's letter, and consider its publication, before it was presented to the Assembly, indecorous and improper, are of opinion that he has just ground of complaint in regard to the proceedings of the General Assembly of 1811, in his case, and that the construction put on the standing rule of the Assembly was not correct; for personal attendance on the superior judicatory is not essential to the regular prosecution of an appeal. Moreover, the sentence of the Assembly being founded in error, ought to be considered null and void, and Mr. Craighead ought to be considered as placed in the same situation as before the decision took place, and as possessing the right to prosecute his appeal before this judicatory.

Ordered, that the stated clerk forward to Mr. Craighead a copy of the foregoing minute."—*Minutes*, 1822, p. 24.

An appellant failing to appear personally may present his case with reasons for previous failure, at the next meeting of the Judicatory to which he has appealed.

"The Judicial Committee reported that they have had under consideration the letter of the Rev. A. G. Fraser to this General Assembly. That Mr. Fraser states that he has been unavoidably prevented from personally prosecuting an appeal from the decision of the Synod of New Jersey, of which due notice was given that Synod, and requesting the General

Assembly to appoint a Committee of ministers and elders to hear and adjudicate the whole matter, or if such a plan is not within the jurisdiction of the General Assembly, that then this matter of appeal stand over to their next stated meeting.

The Committee recommended that the following answer be given, viz. According to the Book of Discipline of our Church, there are but four ways in which the General Assembly can have cognizance of a judicial case. As neither of these ways is contemplated in the request of Mr. Fraser, the Assembly cannot, without a violation of constitutional rules, take any action in the premises. In regard to a future prosecution of his appeal, the appellant must present his case, with reasons for previous failure, before the next General Assembly, whose province it will then be to decide upon the whole subject. The recommendation was adopted."—*Minutes*, 1850, p. 463.

The death of a respondent is a bar to the further prosecution of an appeal.

[The Records of the Synod of New York are approved with exceptions.] "And on page 277, it appears that the Synod decided that the death of the Rev. Mr. Griffith should be no bar in the way of the prosecution of an appeal by his prosecutor, from the decision of the Presbytery of Bedford, acquitting Mr. Griffith."—*Minutes*, 1833, p. 485.

Right of Voting in Appeals.

XII. "*Resolved*, That no minister belonging to the Synod of Philadelphia, nor elder, who was a member of the judicature when the vote appealed from took place, shall vote in the decision thereof by this Assembly."—*Minutes*, 1792, p. 56.

An elder who was not a member of the Judicature at the time the sentence was passed, cannot vote.

"A question was raised by Mr. Cunningham, an elder from the Synod of Philadelphia, who was not a member of Synod at the meeting at which the case of

Mr. Barnes was tried and issued, whether he has a right to vote in this case in the Assembly. After some discussion, the Moderator decided that Mr. Cunningham, and any other members of the Assembly from that Synod similarly situated, have a right to vote in the Assembly. From this decision of the Moderator, an appeal was taken, when, by a vote of the Assembly, the decision of the Moderator was not sustained, and it was decided that Mr. Cunningham, and others similarly situated, have no right to vote on the case in the Assembly."—*Minutes*, 1836, p. 265.

A minister belonging to a Presbytery at the time of a trial, but not present at the trial, and who became a member of another Presbytery before the case was carried to the Synod, may vote on the appeal in the Assembly.

"A motion was then made that Dr. Skinner and Mr. Dashiell, who, at the time the trial was commenced in the Second Presbytery of Philadelphia, were either not dismissed from that body, or had not yet connected themselves with any other, though they did not meet with the Presbytery, and before the meeting of Synod were members of other Presbyteries, should not sit in judgment in the case of Mr. Barnes. This motion was decided in the negative."—*Minutes*, 1836, p. 266.

No judicatory, after sentence by them passed, and an appeal from it carried up to a higher court, have a right to call the cause back.

The report of the committee on the minutes of the Synod of the Carolinas was brought in and approved, and is as follows, viz.

The committee to whom the records of the Synod of the Carolinas were recommitted, beg leave to report: That your committee find that a judgment of the session of Salem was confirmed by the Presbytery of Abingdon, and brought by appeal before the Synod of the Carolinas, who remitted the cause to a select

session. The sentence of this session which appears to your committee to have been irregular, was affirmed by the Synod of the Carolinas, at their sessions in October 1790. At the same sessions, however, they resumed the cause, and rescinded the decision made by the Synod two days before. Here your committee conceive, that the Synod did right as to matter, but were wrong in point of form; for it does not appear from the minutes that there was more than merely a majority of the members of the Synod for resuming the cause.

The Synod next proceeded to consider the appeal but before they came to a decision, a meeting was held by the members of Abingdon Presbytery, then attending on Synod, at which meeting they professed to reverse the former sentence of that Presbytery, and reported the same to Synod in order to preclude the farther proceedings. Here your committee observe that in their opinion the Presbytery had no right to call back the cause, after sentence by them passed, and an appeal from it carried up to the superior court. The Synod having agreed that they had a right to proceed, notwithstanding this information, did accordingly proceed, and in a regular way, as your committee conceive, reversed the sentence of the session of Salem, and declared the appellant restored to the privileges of the church.

Upon the whole, your committee conceive that the proceedings of that Synod should be sustained in point of order by the General Assembly, and their decision confirmed. In that instance in which their proceedings seem to be most contrary to regular discipline, and which is particularly pointed at in the reasons of protest by the members of Abingdon Presbytery—we mean, resuming a case during the same session after a decision first had upon it, your committee judge that the first decision was made in a way that was entirely informal, and therefore they had a right to resume the cause, and issue it in an orderly and constitutional way, which they have accordingly done, though your committee conceive that this reason

should have been assigned on their minutes.”—*Minutes*, 1791, p. 42.

XVI. *Where the Presbytery and Synod sent up their records, but not copies of the testimony taken on the trial, the appeal was sustained.*

“The appellant having given due notice that he did appeal, appeared regularly before the Assembly, and that while the Presbytery and Synod sent up their records in the case, neither has forwarded to this Assembly an authentic copy of the testimony taken on the trial. The Assembly did, therefore, decide that Mr. Bushnell’s appeal be and it hereby is sustained, so that he is restored to all his rights and privileges as a member of the Church of Christ.”—*Minutes*, 1826, p. 35.

Where important documents were before the session, which were not sent up to the higher judicatories, the case will be remanded to the Presbytery for a new trial, and the session ordered to amend its record.

“It appearing from the official certificates of the Stated Clerks of all the courts below, that important documents in evidence before the session which first tried the case of Beck and McMahon, were not sent up to the Presbytery and Synod; it is therefore ordered that this case be sent back to the Presbytery of Charleston for a new trial, and that the session of the church of Columbia be directed to correct their record, and to send to Presbytery an authentic copy of all the evidence and all the documents before them. It is recommended, however, that the parties, if practicable, make an amicable and Christian settlement, without again submitting the same for decision to the judicatories of the Church.”—*Minutes*, 1843, p. 186.

XVII. *An appeal having been entered by persons not of the original parties, was taken up as a complaint.*

“The Judicial Committee reported a paper, signed by Dr. Cathcart and others, members of the Presbytery

of Carlisle, purporting to be an appeal or complaint relative to a decision of the Synod of Philadelphia. The committee gave it as their opinion that the subject could not be taken up on the ground of an appeal, because these persons were not one of the original parties, but that it might be taken up in the character of a complaint. *Resolved*, That the consideration of this complaint be the order of the day for next Tuesday morning."—*Minutes*, 1823, p. 115.

SECTION IV.—*Of Complaints.*

In the case of the complaint of members of Carlisle Presbytery against the decision of the Synod of Philadelphia.

"The following report of the Judicial Committee in the case of the complaint of members of the Carlisle Presbytery against the decision of the Synod of Philadelphia, was received, which being read, was adopted.

Resolved, 1. That no discussion ought to be allowed which may involve the character of Mr. McDowell in his absence.

2. That the complaint ought to be considered by the Assembly only so far as it regards the *regularity* of the proceedings of the Synod in reversing the judgment of Presbytery in the case."

The motion was that the complaint be sustained. After some discussion this motion was postponed, and the following was adopted, viz.

"The Assembly having heard the complaint of the Presbytery of Carlisle against the Synod of Philadelphia in the case of William S. McDowell, with the facts and arguments offered both by the Presbytery and the Synod, judge that the Synod had a constitutional right to reverse the decision of the Presbytery in the case, either in whole or in part, as to them might seem proper; but that in the exercise of this right the Synod have not duly regarded the princi-

ples of discipline prescribed in the Constitution; inasmuch as it appears by their records that they have removed all censure from a man whom they declare to be deserving of rebuke, without directing that rebuke to be administered, and without receiving any evidence of his penitence.”—*Minutes*, 1823, pp. 123, 126.

A complainant appearing by his counsel.

“On motion, the complainant being prevented from appearing in person, was permitted to appear by his counsel, Dr. R. J. Breckinridge, whom he has requested to act for him.”—*Minutes*, 1850, p. 469.

A complaint may be made when a Synod dissolves a Presbytery.

[The complaint of the members of the late Presbytery of Wilmington against the Synod of Philadelphia for dissolving them was heard and sustained, and the Presbytery was restored to the state in which they were at the time of their organization by the Synod, with the exception that the church of New Castle shall have the privilege, if they desire it, of uniting with New Castle Presbytery.]—*Minutes*, 1836, p. 279.

A complaint may be made against a decision establishing a second church in a town.

“The Committee to whom was referred the complaint of Samuel Lowry against the Synod of Illinois, made the following report of a minute as expressive of their judgment in the case, which was adopted, viz.

The Assembly after hearing the documents and the parties in the case of the complaint of Mr. Samuel Lowry against the decision of the Synod of Illinois, by which they affirmed the decision of the Presbytery of Peoria, establishing a second Presbyterian church in the town of Peoria, do judge that the complaint of Mr. Samuel Lowry be, and it is hereby sustained *pro forma*, it having been regularly conducted, and there appearing just grounds of complaint on account of

irregularity, and also on the ground of allegations made against Mr. Lowry, some of which have been disproved, and others not sustained by evidence. But it is not intended by this manner of sustaining the complaint, to reverse the decision of the Synod, inasmuch as the Assembly believes the better way of redressing the evils which have arisen there, is not to dissolve the said second church, but to adopt some mode of pacification, and prevent, if possible, the recurrence of similar disorders.

The Assembly therefore fix the seal of their disapprobation upon the following irregularities, viz.

1st. The conduct of the Rev. Mr. Kellar in dividing the church in Peoria, by which he did not make a separation from the great body of the Presbyterian Church, but a schism in the body contrary to the word of God and the government of the church, which allow of the division of the church universal into separate congregations only when the people of God are too numerous or too remote from each other to assemble in one place to worship God.

This procedure of Mr. Kellar was the more culpable, as the party he organized into a church endeavoured to assume the name and take the place of the regular church in Peoria.

2d. The Presbytery of Peoria are censurable for not calling Mr. Kellar to order, when he disregarded their advice to desist from preaching in the town of Peoria.

3d. The Synod of Illinois have not discharged their duty. They ought to have spread upon their record every thing which influenced their judgment in the case, and also to have sent to this Assembly authentic copies of the whole proceedings, with all the documents which had been regularly before them.

They also seem to have overlooked the irregularity of the Presbytery in dividing a congregation when there was no request from the people on the subject.

It is manifestly lawful but deemed by the Assembly inexpedient, to dissolve the second Church in Peoria; but in order to bring matters back to a state

of order and harmony, the General Assembly hereby direct the Synod of Illinois, at its first meeting, to appoint a Committee composed of men known to be of sound judgment, and pacific in their characters, and not obnoxious to either of the churches now established in that town, to visit said churches as soon as practicable and use their best endeavours to bring them together in one harmonious body, that they may be able to select and support a pastor, and not as separate and feeble sections of the same body, remain a reproach among their adversaries. In the meantime, the Assembly enjoin it upon the members and officers of the said churches to exercise mutual forbearance and Christian kindness, that they may be prepared to profit from a visit by the Committee of Synod."—*Minutes*, 1840, p. 302.

A complaint may be made against a Synod for refusing to divide a Presbytery.

[The complaint of certain members of the Presbytery of Philadelphia against the Synod of Philadelphia, for refusing to divide that Presbytery, was sustained and their petition for a division granted.]—*Minutes*, 1832, pp. 319, 320.

A complaint will not lie against a decision of Presbytery previously authorized by the General Assembly.

The unfinished business [being Judicial case No. 1, a complaint against a decision of the Synod of North Carolina confirming a decision of the Presbytery of Fayetteville, restoring the Rev. Archibald McQueen, to the functions of the gospel ministry] was resumed and the following was the decision of the Assembly in the case, viz.

Whereas the Rev. Archibald McQueen prosecuted a complaint before the Assembly of 1845, against the Presbytery of Fayetteville for refusing to restore him to the exercise of the gospel ministry; and did at the same time memorialize that Assembly to decree his

restoration; and whereas that Assembly did take up and judicially entertain the said complaint, and pronounced judgment in the case by authorizing and recommending the Presbytery to restore the said Archibald McQueen to the gospel ministry, provided that in the judgment of the Presbytery it was wise so to do; and whereas the Presbytery in the exercise of the discretion thus confided to them did restore Mr. McQueen, therefore

Resolved, That the complaint of the Rev. Colin McIver and others against the Synod of North Carolina, for having sustained the action of the Presbytery of Fayetteville in restoring the said Archibald McQueen, in accordance with the judicial decision of the Assembly of 1845, cannot be entertained by this house, and is hereby dismissed.

In making this disposition of the above mentioned complaint, this General Assembly wishes it to be distinctly understood that they do not mean either to retract or modify any judgment hitherto expressed by any Assembly respecting the offence for which Mr. McQueen was suspended from the exercise of the gospel ministry. They simply declare that his case cannot be regularly brought before them by this complaint.”—*Minutes*, 1847, p. 395.

OF NEW TESTIMONY.

[Book of Discipline, Chapter IX.]

- I. *New testimony, apparently of an important kind being alleged, a new trial was granted and the case referred to the General Association of Connecticut for adjudication.*

“The Assembly took into consideration the report of the Committee on an appeal from a decision of the Synod of New York and New Jersey in the case of Mr. Aaron C. Collins and after mature deliberation thereon, resolved as follows:

1. That the decision of the Synod as founded on

the evidence and the circumstances which were presented to them at the time, was proper and is therefore confirmed.

2. That as new evidence, apparently of an important kind, has been alleged on this case since the decision of the Synod, it is proper that a new trial be instituted thereon.

3. That as the present case originated within the bounds of the consociated churches of the State of Connecticut, the Assembly do refer the whole case of Mr. Collins to the General Association of the said State, that they may direct to a full investigation; and it is

Ordered, That all the proceedings had upon this affair both before the Presbytery of New York and the Synod of New York and New Jersey, together with all evidence and other documents that can be obtained, relating thereto, be sent by the delegates from the General Assembly to the General Association. And

4. That the Stated Clerk furnish to the said delegates an authentic extract from the records of this house, of all the proceedings had upon this case before the General Assembly.—*Minutes*, 1793, p. 68.

III. *Complaint being made that a new trial had been refused, though new testimony was alleged to exist, the Assembly appointed a Committee to inquire into the truth of the allegation.*

“A complaint from Mr. Francis Hindman against the Presbytery of New Castle, for not granting him a new trial in his case, agreeably to the resolution of last Assembly, was read, together with several papers accompanying it,” [and was referred to a Committee,] “who were authorized to call for other papers and to cite witnesses if they deem it necessary, and were directed to report to the Assembly the result of their attention to the subject.”

[The following report of the Committee was adopted:] “That having carefully examined the papers committed to them, and having heard Mr. Hindman in

his own case, as also a member of the Presbytery of New Castle, in explanation of their conduct, they find no cause of complaint against said Presbytery in their treatment of Mr. Hindman."—*Minutes*, 1812, pp. 496, 504.

"Is it lawful and consistent with the order of our Church for a church court to reconsider and set aside its own decision, after a lapse of five or six years from the time the decision was made, after the court has so changed that many of its members were not members at the time of the decision, and when no new testimony is proposed?"

1. "Our Book of Discipline, Chap. ix. Sec 1, provides that if after a trial before any judicatory, new testimony be discovered which is supposed to be highly important to the exculpation of the accused, it is proper for him to ask and for the judicatory to grant a new trial.

2. It is very conceivable that after a lapse of five or six years, the sentence of an ecclesiastical court which was originally considered as just and wise, although no new testimony strictly speaking has appeared, may in the view of the church appear under an aspect equivalent to new testimony, and calling for reconsideration, yet

3. Inasmuch as the frequent reconsideration of cases adjudged by the inferior judicatories, without the appearance of new testimony, admits of great and mischievous abuse, and might lead to an endless recurrence of reviews and reversals of former decisions, in the absence of a majority of the court pronouncing the same; it is evidently more regular, safe, and for edification, when a review of a decision, without the disclosure of new testimony is thought desirable, to refer the case to the next higher judicatory."—*Minutes*, 1833, p. 491.

JURISDICTION.

[Book of Discipline, Chapter X.]

“THE Committee to whom was recommitted Overture No. 1, viz. the question ‘At what period of their preparatory course are candidates for the Christian ministry to be considered as dismissed from the jurisdiction of the session, and transferred to that of the Presbytery?’ made a report, which being read and amended, was adopted, and is as follows, viz.

Whereas, It appears necessary, in order to preserve the purity of the Church and uniformity of procedure in the judicatories under the care of the General Assembly, that the manner of administering discipline to candidates and licentiates for the gospel ministry, should be distinctly specified, therefore,

Resolved, 1. That as the word of God and the Constitution of the Presbyterian Church recognize the distinction of laity and clergy, and a system of procedure in discipline, in some respects diverse, as the one or the other of these orders of men is concerned, it becomes the judicatories of the Church to guard against the violation of this principle in the administration of discipline.

2. That although candidates and licentiates are in training for the gospel ministry, and in consequence of this are placed under the care of Presbyteries, and in certain respects become immediately responsible to them, yet they are to be regarded as belonging to the order of the laity, till they receive ordination to the whole work of the gospel ministry.

3. That it follows from the last resolution, that when candidates for the gospel ministry are discovered to be unfit to be proceeded with, in trials for the sacred office, it shall be the duty of the Presbytery to arrest their progress; and if further discipline be necessary, to remit them for that purpose to the sessions of the churches to which they properly be-

long; and that when licentiates are found unworthy to be permitted further to preach the gospel, it shall be the duty of the Presbytery to deprive them of their license; and if further discipline be necessary, to remit them for that purpose to the sessions of the churches to which they properly belong.

4. That in order to insure the proper effect of discipline in the performance of the duties which severally belong to sessions and Presbyteries, it will be incumbent on church sessions, when they shall see cause to commence process against candidates or licentiates, before the Presbytery has arrested the trials of the one, or taken away the licensure of the other, to give immediate notice to the Moderator of the Presbytery to which the candidates, or licentiates, are amenable, that such process has been commenced, to the intent that the impropriety may be prevented, of an individual proceeding on trials or continuing to preach after committing an offence that ought to arrest him in his progress to an investiture with the sacred office; and when Presbyteries shall enter upon an investigation, with the view of stopping the trials of a candidate, or taking away the license of a licentiate, the session to which such candidates, or licentiates are amenable, shall be immediately informed of what the Presbytery is doing, that the session may, if requisite, commence process, and inflict the discipline, which it is their province to administer.” —*Minutes*, 1829, p. 377.

“The Committee to which was referred the statement of the Commissioner from the Presbytery of Fayetteville, respecting a licentiate of the Presbytery of Hopewell, who had been suspended both from the privilege of preaching the gospel, and from the enjoyment of the sealing ordinances of God’s house, reported the following resolution, which being read, was adopted, viz.

Resolved, That the only correct mode to be pursued by the licentiate in order to obtain restoration

to his former standing, is to make direct application to the Presbytery of Hopewell; and that the Presbytery of Fayetteville may, with propriety, collect and transmit to the Presbytery of Hopewell, any testimony touching the moral character of said licentiate while living within the bounds of the Presbytery of Fayetteville, whenever requested by either the licentiate or the Presbytery of Hopewell.”—*Minutes*, 1822, p. 11.

Though there may have been haste and confusion in the dismissal of members, their actual connection with the church to which they are dismissed is valid and regular.

“Overture No. 40. A memorial from individuals in the Presbytery of Concord, formerly under the pastoral care of the Rev. Mr. Davies, asking the Assembly to determine whether they are to be considered members of the Prospect Church, or whether their dismissal from the Church of Centre is to be considered null and void. The Committee recommended that the Assembly, while not approving of the haste and confusion with which their dismissal was given, declare their actual connection with the Church of Prospect now to be valid and regular. The recommendation was adopted.”—*Minutes*, 1849, p. 266.

“Overture No. 9. An overture from the Presbytery of Indianapolis, on several subjects: 1. “Is it orderly in any case to dismiss to another church a suspended member, stating the case, and submitting it to the session to which he has removed?”

The Committee recommended the following answer, viz.

It may be orderly in circumstances of necessity arising from removal to an inconvenient distance; provided that in no instance the session to which he is dismissed, be allowed to review or rejudge the case. The recommendation was adopted.”—*Minutes*, 1849, p. 239.

“On motion, Overture No. 16, was taken up, and it was *Resolved*, That in all cases where members of any of our churches apply for dismission to unite with a church of another denomination, the proper course is to give a certificate of Christian character only.”—*Minutes*, 1839, p. 177.

Overture No. 12. A request from the Presbytery of Hudson, that this General Assembly rescind the above resolution was refused, because, “It is neither a censure on the individuals, nor the churches to which they seek to be dismissed, but sets forth the only fact which it is important that those churches should know.”—*Minutes*, 1848, p. 22.

II. *Where a Presbytery, having dismissed a minister becomes extinct, and he is refused admission by the Presbytery to which he has been dismissed, he is to be considered under the jurisdiction of the Synod.*

“Ministers dismissed by an extinct Presbytery, and not received into any other, are to be considered as under the direction of their proper Synod, and ought to be disposed of, as the Synod may order.”—*Minutes*, 1825, p. 265.

IV. *A Presbytery cannot delegate to a Committee the power to dismiss ministers, licentiates, and candidates.*

“The report of the Committee on the reference from the Presbytery of Cayuga, relative to the constitutionality of a rule of that body, which had been laid on the table, was taken up. The rule of the Presbytery of Cayuga, referred to the Assembly, is as follows, viz.

“The Moderator for the time being, and the Stated Clerk, *ex officio*, were appointed a committee to grant letters of dismission to ministers without charge, and to licentiates and candidates under the care of this Presbytery, to unite with other Presbyteries, and were directed to report at the next stated meeting.”

In relation to this rule, the following resolution, reported by the Committee, was adopted, viz.

Resolved, That the rule hitherto acted upon by the Presbytery of Cayuga, is inexpedient and unconstitutional."—*Minutes*, 1830, p. 27.

"*No judicatory or private member shall certify any person's character as good, for a space of time, without mentioning whether he has been under process of scandal during that time, and the issue of it.*"—*Minutes*, 1791, p. 42.

"Overture No. 18. Asking the answer of the Assembly to the following question:

Pending the issuing of a judicial case regularly before a Synod on any appeal from the decision of a Presbytery, if the General Assembly set off the Presbytery to another Synod, to which of the Synods does it belong to issue the case?

The committee recommend that the question be answered as follows:

The issuing of the case belongs to the Synod to which an appeal was first taken, or it may be transferred for adjudication to the Synod to which the Presbytery was transferred, by consent of parties.

The overture was laid on the table."—*Minutes*, 1850, p. 466.

LIMITATION OF TIME.

[Book of Discipline, Chapter XI.]

III. The Committee appointed on the overture from the Synod of New Jersey, inquiring *What a church session ought to do with members in communion who have been absent for years, without having taken a certificate of dismissal, and whose place of residence is unknown*, made a report, which being

read and amended, was adopted, and is as follows, viz.

That although this particular case is not provided for by a specific regulation in our Book of Discipline, yet it is embraced by certain general principles which are recognized in that book, and interwoven with many of its provisions. These principles, together with the result bearing on the case in question, the committee beg leave most respectfully to state.

1. Every church member is amenable to some appropriate tribunal, by the wisdom and fidelity of which, in case of his falling into any error, immorality, or negligence, he may be dealt with according to the word of God.

2. No member of a church can properly ever cease to be such, but by death, exclusion, a regular dismissal, or an orderly withdrawing to join some other Christian denomination; and must of necessity continue to be amenable to that church until he becomes regularly connected with another.

3. For a church member to withdraw from a use of his privileges as a member, either by irregularly connecting himself with another denomination, or by going to a distant part of the world to reside for a number of years, without making known his removal to the church session, and asking a certificate, either of good standing, for the purpose of enjoying occasional communion elsewhere, or of dismissal to join some other church, is itself a censurable violation of the principles of church fellowship, and may infer suspension from its privileges.

4. Church members, therefore, who have been absent for a number of years in unknown places, are by no means to have their names erased from the churches to which they respectively belong; but are to be held responsible to their respective churches; and if they should ever return or be heard from, are to be regularly dealt with according to the word of God and the principles of our Church; and although great caution and tenderness ought to be exercised towards those whose withdrawing from Christian pri-

vileges may be occasioned by the unavoidable dispensations of Providence, without, any material fault of their own, yet in all cases in which a church session has good reason to believe that any of the church under their care have absented themselves with design, either from a disregard of Christian privilege, or from a wish to escape from the inspection and discipline of the church, they ought, without unnecessary delay, to declare such persons suspended from the privileges of the church, until they give evidence of repentance and reformation, and of course in making their statistical reports ought to enumerate such among the members under suspension.”—*Minutes*, 1825, p. 255.

IV. *Where a Synod, on complaint made, refers a case to a Presbytery for a full investigation, the Statute of Limitations cannot be pleaded as a reason for non compliance.*

“The Presbytery of Louisiana erred in pleading the limitation of time for their non compliance with the resolution of Synod, referring this whole case to them for a full investigation.”—*Minutes*, 1850, p. 481.



OF BAPTISM.

[Confession of Faith, Chapter XXVIII.]

IV. *Persons presenting their children for baptism, are to be carefully examined as to their life and knowledge.*

[The Synod] “do also exhort all the ministers within our bounds to take due care in the examination of all candidates for baptism, or that offer to dedicate their children to God in that sacred ordinance, that they are persons of a regular life, and have suitable acquaintance with the principles of the Christian reli-

gion; that that seal be not set to a blank, and that such be not admitted to a visible church relation as are manifestly unfit for it.”—*Records*, 1735, p. 113.

Each session must decide what constitutes the visible and credible profession required.

“The following reference from the Synod of Philadelphia was laid before the Assembly: ‘As baptism is to be administered to the infants of those who are members of the visible church, but our Directory leaves the description of the visible and credible profession of Christianity vague and indefinite, it is humbly proposed to the Assembly to give some precise direction and definition of such a profession for the information of its ministers.’ In answer to the above reference, the Assembly judged it unnecessary and perhaps impracticable, to deliver rules more explicit than those contained in the standards of our church; but should cases of difficulty arise, they must be decided respectively, according to their own merits before the proper judicatories.”—*Minutes*, 1794, p. 91.

“The following case of conscience from Donegal Presbytery was overtured, viz: whether *Christian masters or mistresses ought in duty to have such children baptized as are under their care though born of parents not in the communion of any Christian Church?* Upon this overture, the Synod are of opinion that Christian masters and mistresses whose religious professions and conduct are such as to give them a right to the ordinance of baptism for their own children, may and ought to dedicate the children of their household to God in that ordinance when they have no scruples of conscience to the contrary.”—*Records*, 1786, p. 527.

“The Committee to which was referred the following question, viz. “*Ought baptism on the profession and promise of the master to be administered to the child-*

ren of slaves? reported, and their report being amended was adopted and is as follows, viz.

1. That it is the duty of masters who are members of the church, to present the children of parents in servitude to the ordinance of baptism, provided they are in a situation to train them up in the nurture and admonition of the Lord, thus securing to them the rich advantages which the gospel provides.

2. That it is the duty of Christ's ministers to inculcate this doctrine and to baptize all children of this description, when presented by their masters."—*Minutes*, 1816, p. 617.

"It was overtured whether Christian slaves, having children at the entire direction of unchristian masters, and not having it in their power to instruct them in religion, are bound to have them baptized? and whether a gospel minister in this predicament, ought to baptize them? And Synod determined the question in the affirmative."—*Records*, 1786, p. 527.



OF THE ADMINISTRATION OF BAPTISM.

[Directory for Worship, Chapter VII.]

THE Committee to which was referred the question submitted by the member from the Presbytery of Harmony, and with the advice of that Presbytery in the following words, viz.

"A person who had been baptized in infancy by Dr. Priestley applied for admission to the Lord's table; should the baptism administered by Dr. Priestley, then a Unitarian, be considered valid? reported, and their report being read was adopted and is as follows, viz.

Resolved, That this question be answered in the negative. And it accordingly was determined in the negative.

In the present state of our country, whilst Unitarian

rian errors in various forms are making their insidious approaches, whilst the advocates of this heresy in many cases are practising a system of concealment and insinuating themselves into the confidence of multitudes, who have no suspicion of their defection from the faith, the Assembly feel it to be their duty to speak without reserve.

It is the deliberate and unanimous opinion of this Assembly, that those who renounce the fundamental doctrine of the Trinity, and deny that Jesus Christ is the same in substance, equal in power and glory with the Father, cannot be recognized as ministers of the gospel, and that their ministrations are wholly invalid.”—*Minutes*, 1814, p. 549.

“The following overture was presented by the Committee of overtures, viz. *“Can a Presbytery consistently acknowledge as valid the ordinance of baptism as administered by those who are regularly suspended by a higher judicatory of the Church?”*

If not, how are we to regard the baptism of the Cumberland Presbyterians?”

The Assembly resumed the consideration of the report of the Committee on the overture respecting the Cumberland Presbyterians. After considerable discussion, the report of the committee was adopted and is as follows, viz.

1. That in the opinion of this Assembly, ministers of the Presbyterian Church when regularly suspended by the competent judicatories, have no right to exercise the functions of a minister during that suspension.

2. That while those persons styling themselves the Cumberland Presbytery were under suspension, their administrations are to be considered as invalid; but after the General Assembly have declared them to be no longer connected with our church, their administrations are to be viewed in the same light with those of other denominations not connected with our body. This decision is grounded on the opinion that the Act of the Assembly of 1814, precluded the propriety of

deposition, or any other process in the case.”—*Minutes*, 1825, p. 275.

“The committee to which was referred the question, ‘At what age ought children to be considered too old to be baptized on the faith of their parents?’ reported the following answer, which being read, was adopted, viz.

The precise time of life when the state of infancy ceases, is not determined in the word of God, nor by the standards of our Church, and from the nature of the case, is incapable of being regulated by any uniform rule; but should be left to the judgment of ministers and sessions, to be determined according to the particular circumstances of each case. The Assembly, therefore, deem it inexpedient to attempt to fix the precise time at which children ought to be considered too old to be baptized on the faith of their parents.”—*Minutes*, 1822, p. 25.

I. *Are all orphan children of heathen parents, committed to the care of our missions, entitled to the benefit of the ordinance of baptism, without respect to their ages?*

“The Committee of Bills and Overtures on the memorial from the Presbytery of Lodiana, in relation to the baptism of orphan children of heathen parents, recommend that the following answer be returned, viz.

The General Assembly of the Presbyterian Church in the United States of America to the Presbytery of Lodiana:

Dear Brethren—You have submitted to us questions respecting a subject which we have no doubt is one of very great importance in regard to the progress of religion among the heathen. We have seriously considered it, and give you here the result of our deliberations.

You present to us three questions, to which we reply in the order in which the same are presented.

1. 'Are all orphan children of heathen parents committed to the care of our missions, entitled to the benefit of the ordinance of baptism, without respect to their ages?'

We reply, certainly they are not.

You must make the same distinction that you would make if their parents were alive and members of the Christian Church, and desiring to have them baptized, the same distinction which is made in Christian countries. We add, let those children only be baptized in every case who are so committed to the missions, or other Christian tuition, as to secure effectually their entire religious education. On this point great caution is necessary.

2. You ask, (on the presumption that the preceding question is answered in the negative,) 'Are those only to be baptized who have not attained to years of discretion?'

This question we answer in the affirmative.

3. Your third question is in substance as follows: 'If those only who have not attained to years of discretion are to be baptized, at what age shall the federal right be supposed to cease and personal responsibility to commence?'

Although it is not difficult to answer this question in accordance with the standards and the practice of the Presbyterian Church, yet the rule may frequently be found difficult of application. Our answer to the question however is:

The officers of the church must judge in each particular case whether the proposed subject of baptism has arrived at years of discretion or not. We can adopt no other rule in our own practice, and we can recommend no other to you. We refer you to Chapter ix., Section 2, of our Directory for Worship. If the person proposed to be baptized has acquired that maturity of mind which renders him capable of making an intelligent profession of religion, himself, he ought not to be baptized on the faith of another. Our Confession of Faith recognizes the right to baptism

of the infant children only of such parents as are members of the church. We do not doubt that in heathen countries children of heathen parents ordinarily arrive at what are called *years of discretion*, later than those who enjoy the advantages of Christian instruction in early life; but in a country where the religion of all consists in forms and ceremonies, great care should be taken that the Christian religion does not even appear to partake of the formality and emptiness of Mohammedanism and Paganism.”—*Minutes*, 1843, p. 179.

Ought such persons to be re-baptized as have been offered in baptism by notoriously profligate parents, and baptized by ministers of the same description?

“*Resolved*, That it is a principle of this Church that the unworthiness of the ministers of the gospel does not invalidate the ordinances of religion dispensed by them. It is also a principle that as long as any denomination of Christians is acknowledged by us as a Church of Christ, we ought to hold the ordinances dispensed by it as valid, notwithstanding the unworthiness of particular ministers. Yet, inasmuch as no general rule can be made to embrace all circumstances, there may be irregularities in particular administrations by men not yet divested of their office, either in this or in other churches, which may render them null and void. But as these irregularities must often result from circumstances and situations that cannot be anticipated and pointed out in the rule, they must be left to be judged of by the prudence and wisdom of church sessions, and the higher judicatories to which they may be referred. In such cases, it may be advisable to administer the ordinance of baptism in a regular manner, where a profane exhibition of the ceremony may have been attempted. These cases and circumstances, however, are to be inquired into by the church sessions, and referred to a Presbytery before a final decision.”—*Minutes*, 1790, p. 26.

“Is the baptism of children of non-professing parents to be regarded as valid baptism?”

[In reference to this question, the Assembly referred to the action recorded in the preceding paragraph as a sufficient answer.]—*Minutes*, 1834, p. 18.

Is Baptism in the Church of Rome valid?

[The Assembly, by a vote of 173 to 8, decided that baptism in the Church of Rome is not valid, and gave their views of the subject as follows:]—*Minutes*, 1845, pp. 15, 34.

The Committee appointed to draw up a minute expressive of the views of the Assembly, presented a report, which was read and adopted, and is as follows, viz.

“The Committee appointed to prepare a minute expressive of the views of this Assembly, in returning a negative to Overture No. 6, beg leave to report.

The question presented to this Assembly by overture from the Presbytery of Ohio, “*Is Baptism in the Church of Rome valid?*” is one of a very grave character, and of deep practical importance. The answer to it must involve principles vital to the peace, the purity, and the stability of the Church of God.

After a full discussion carried through several days, this Assembly has decided, by a nearly unanimous vote, that *baptism so administered is not valid*.

Because, since baptism is an ordinance established by Christ in his Church, (Form. Gov. Chap. vii., Matt. xxviii. 19, 20,) and is to be administered only by a minister of Christ, duly called and ordained to be a steward of the mysteries of God, (Directory, Chap. vii. Sec. 1,) it follows that no rite administered by one who is not himself a duly ordained minister of the true Church of God visible, can be regarded as an ordinance of Christ, whatever be the name by which it is called, whatever the form employed in its administration. The so-called priests of the Romish communion are not ministers of Christ, for they are commissioned as agents of the papal hierarchy, which is

not a church of Christ, but the Man of Sin, apostate from the truth, the enemy of righteousness and of God. She has long lain under the curse of God, who has called his people to come out from her, that they be not partakers of her plagues.

It is the unanimous opinion of all the Reformed churches, that the whole papal body, though once a branch of the visible church, has long since become utterly corrupt, and hopelessly apostate. It was a conviction of this which led to the Reformation, and the complete separation of the reformed body from the papal communion. Luther and his coadjutors, being duly ordained presbyters at the time when they left the Romish communion, which then, though fearfully corrupt, was the only visible church in the countries of their abode, were fully authorized by the word of God, to ordain successors in the ministry, and so to extend and perpetuate the Reformed churches as true churches of Christ: while the contumacious adherence of Rome to her corruptions, as shown in the decisions of the Council of Trent, (which she adopts as authoritative,) cuts her off from the visible Church of Christ, as heretical and unsound. This was the opinion of the Reformers, and it is the doctrine of the Reformed churches to this day. In entire accordance to this is the decision of the General Assembly of our Church, passed in 1835, (see Minutes of General Assembly, vol. 8. p. 33,) declaring the Church of Rome to be an apostate body.

The decision by the Assembly of 1835, renders the return of a negative to the inquiry proposed by the Presbytery of Ohio, *indispensable on the ground of consistency*; unless we be prepared to admit, in direct contradiction to the standards of the Presbyterian Church, that baptism is not an ordinance established by Christ in his Church exclusively, and that it may be administered by an agent of the Man of Sin, an emissary of the prince of darkness; that it may be administered in sport or in blasphemy, and yet be valid as though administered by a duly commissioned steward of the mysteries of God.

Nor can it be urged that the papal hierarchy is improving in her character, and gradually approximating to the scriptural standard. She *claims to be infallible*: her dogmas she promulgates as the doctrines of heaven; and she pronounces her heaviest anathema against any and every man who questions her authority, and refuses to bow to her decisions. She cannot recede from the ground she has assumed. She has adopted as her own, the decisions of the Council of Trent, which degrade the word of God: which claim equal authority for the Apocrypha as for the New Testament; and which declare the sense held and taught by holy mother church, on the authority of tradition and of the Fathers, to be the true and only sense of Scripture. All who deny this position, or who question her authority, she denounces with the bitterest curses.

She thus perverts the truth of God; she rejects the doctrine of justification by faith; she substitutes human merit for the righteousness of Christ; and self-inflicted punishment for gospel repentance: she proclaims her so-called baptism to be regeneration, and the reception of the consecrated wafer in the eucharist, to be the receiving of Christ himself, the source and fountain of grace, and with him all the grace he can impart. Is this the truth? Is reliance on this system, true religion? Can, then, the papal body be a Church?

The Church, (i. e. the church visible,) as defined in our standards, is the whole body of those persons, together with their children, who make profession of *the holy religion of Christ*, and of submission to his laws. (Form Gov. Chap. ii. Sec. 2.) As certainly then, as the dogmas and practices of papal Rome are not the *holy religion of Christ*, must it be conceded, that the papal body is not a Church of Christ at all; and if not, then her agents, be they styled priests, bishops, archbishops, cardinals or pope, are not ministers of Christ in any sense; for they have no connection with his true visible Church; and not being true ministers of Christ, they have no power to ad-

minister Christian ordinances, and the rite they *call* baptism, is not, in any sense, to be regarded as valid Christian Baptism.

Further, by the perverted meaning they affix, and the superstitious rites they have superadded to the ceremonies they perform under the name of baptism and the eucharist, the symbolical nature and true design of both the ordinances of baptism and the Lord's supper are lost sight of and utterly destroyed—so that, could we by any possibility assign to her the *name* of a *church*, she would still be a church without the two grand ordinances of the gospel; she neither administers Christian baptism, nor celebrates the supper of our Lord.

Moreover, since, by the 11th canon of the Council of Trent, she declares the efficacy of her ordinances to depend upon the *intention* of the administrator, no man can know with certainty that her form of administration in any ordinance is not a mere mockery: no consistent papist can be certain that he has been duly baptized, or that he has received the veritable eucharist: he cannot *know*, that the priest who officiates at his altar is a true priest, nor that there is actually any one true priest, or any one prelate rightly consecrated in the whole papal communion. The papal hierarchy has by her own solemn act shrouded all her doings in uncertainty, and enveloped all her rites in hopeless obscurity. Even on this ground alone, the validity of her baptism might safely be denied.

Nor is the fact that instances now and then occur of apparent piety in the members of her communion, and of intelligence, zeal, and conscientiousness in some of her priests, any ground of objection against the position here taken by this Assembly. The virtues of individuals do not purify the body of which they are members. We are to judge of the character of a body claiming to be a church of Christ—not by the opinions or practices of its individual members, but by its standards and its allowed practices. Bound as he is by the authority of his church—and that on

pain of her heaviest malediction—to understand the Scriptures only in the sense in which his church understands and explains them, a consistent papist cannot receive or hold the true religion, or the doctrines of grace. If he does, he must either renounce the papacy, or hypocritically conceal his true sentiments, or he must prepare to brave the thunders of her wrath. True religion and an intelligent adherence to papal Rome are utterly incompatible and impossible. The Church and the papacy are the repelling poles of the moral system.

Difficulties may possibly arise in individual cases. It may not be easy at all times to say whether an applicant for admission into the Church of Christ has, or has not been baptized: whether he has been christened by a popish pastor or not. In all such doubtful cases the session of a church must act according to the light before them. But it is safer and more conducive to peace and edification, to embrace a well established principle for our guidance, and act upon it firmly in the fear of God, leaving all consequences with him, than to suffer ourselves, without any fixed principles, to be at the mercy of circumstances.

While some other churches may hesitate to carry out fully the principles of the Reformation, in wholly repudiating popish baptism, as well as the popish mass, we, as Presbyterians, feel bound to act on the principle laid down by our Assembly so long ago as 1790, that, so long as a body is by us recognized as a true church, are her ordinances to be deemed valid, and no longer.

In 1835 the Assembly declared the papacy to be apostate from Christ, and no true church. As we do not recognize her as a portion of the visible Church of Christ, we cannot, consistently, view her priesthood as other than usurpers of the sacred functions of the ministry, her ordinances as unscriptural, and her baptism as totally invalid.”

“Whether besides requiring of parents, dedicating their children to God in baptism, an express

acknowledgment of the duties of parents, and recommending to them the observance thereof, it should be considered as essential, to require that they come under an explicit vow or solemn engagement also, to perform those duties?

The Assembly

Resolved, That an answer to this question is contained in the Directory for Public Worship of this Church, under the head of the "Administration of Baptism," which requires an express engagement on the part of the parents."—*Minutes*, 1794, p. 89.

OF THE ADMISSION OF PERSONS TO SEALING ORDINANCES.

[Directory for Worship, Chapter IX.]

"THE Committee to whom was referred the subject involved in so much of the records of the Synod of Cincinnati as relates to the admission of persons to church privileges at the great meetings common in that region, made the following report, which was adopted, viz.

That they have given this subject a careful consideration, and recommend the adoption of the following resolutions, viz.

1. *Resolved*, That the order of the churches requires that all persons making a public profession of religion, be introduced to the communion of the church only by an individual session regularly constituted.

2. *Resolved*, That it is the right and duty of sessions to take the exclusive oversight of their respective congregations, and the practice of one session admitting to a Christian profession, persons belonging or intending to belong to a congregation under the care of another session, is irregular, and ought not to be countenanced.

3. *Resolved*, That the purity and prosperity of the

Church, as well as the best interests of those immediately concerned, demand great circumspection in the admission of persons to church privileges; and that ordinarily it is deemed improper to receive persons immediately upon their indulging a hope of reconciliation with God, and especially in the case of the young, and of persons of previously immoral lives or lax principles, and of those concerning whom little is known."—*Minutes*, 1832, p. 334.

Postmasters officiating on the Sabbath are not to be admitted.

"An appeal by Mr. Wiley, postmaster in Washington, Pa., from a decision of the Synod of Pittsburgh, by which it is determined that Mr. Wiley's officiating as postmaster on the Sabbath day, in existing circumstances, is a sufficient reason to exclude him from the special privileges of the Church, was overtured and read.

On motion, *Resolved*, that the above decision of the Synod of Pittsburgh be affirmed. And it is hereby affirmed."—*Minutes*, 1810, p. 456.

"A petition signed by a number of persons in Washington, Pa. and vicinity, praying the revision with a view to its being rescinded of the decision of the General Assembly of 1810, respecting the case of Mr. Wiley, postmaster, was overtured.

Resolved, That the prayer of the petitioners be not granted."—*Minutes*, 1812, p. 508.

May a person be received as a member of the Church who is a proprietor in a line of stages which carries the mail, and runs on the Sabbath?

Resolved, "That it is the decided opinion of this Assembly that all attention to worldly concerns on the Lord's day, further than the works of necessity and mercy demand, is inconsistent both with the letter and spirit of the fourth commandment; and consequently all engagements in regard to secular occupations on the Lord's day, with a view to secure worldly

advantages, are to be considered inconsistent with Christian character, and that those who are concerned in such engagements, ought not to be admitted into the communion of the Church while they continue in the same."—*Minutes*, 1819, p. 713.

Duellists excluded from sealing ordinances.

"The Committee to whom was referred the proposition from the Presbytery of Baltimore, and the resolution moved in this Assembly on Thursday last, respecting duelling, exhibited their report. The report being read and amended was adopted, and is as follows, viz.

The General Assembly having taken into serious consideration the unhappy prevalence of the practice of duelling in the United States, and being anxiously desirous to contribute what may be in their power, consistently with their character and situation to discountenance and abolish this practice;

Resolved unanimously, That they do in the most unequivocal manner declare their utter abhorrence of the practice of duelling and of all measures tending thereto, as originating from the malevolent dispositions of the human heart, and a false sense of honour; as a remnant of Gothic barbarism; as implying a presumptuous and highly criminal appeal to God as the Sovereign Judge; as utterly inconsistent with every just principle of moral conduct; as a direct violation of the sixth commandment, and destructive of the peace and happiness of families; and the Assembly do hereby recommend it to the ministers in their connection to discountenance by all proper means in their power this scandalous practice.

Resolved also, That it be, and it is hereby recommended to all the ministers under the care of the Assembly, that they scrupulously refuse to attend the funeral of any person who shall have fallen in a duel; and that they admit no person who shall have fought a duel, given or accepted a challenge, or been accessory thereto, unto the distinguishing privileges of

the Church, until he manifest a just sense of his guilt, and give satisfactory evidence of repentance.”—Minutes, 1805, p. 339.

May a person while he has scruples concerning infant baptism, be admitted to occasional communion?

“The letter from Bethuel Church, Esq., as over-tured was read, and the motion formerly made thus amended: That the Session of the Church of Cambridge be permitted to receive Mr. Church upon satisfactory evidence of his good character, his scruples notwithstanding—was taken up and agreed to.”—*Minutes, 1798, p. 149.*

“Is it the duty of church sessions to admit to membership persons who refuse to present their children to God in the ordinance of baptism?”

“What is the duty of the Session in the case of parents, members of the church, who from conscientious scruples, refuse to present their children for baptism?”

[The Assembly in reply refer to the decision in the case of Bethuel Church, in the preceding paragraph, as settling the principle involved, and subjoin,]

“But while it is clear that persons otherwise of good Christian character, are not to be excluded from the communion of the church because they have scruples concerning infant baptism, there is in every case where such persons apply for admission a question as to the expediency of receiving them, upon which the session of the church must decide.”—*Minutes, 1834, p. 35.*

Universalists excluded from sealing ordinances.

“A question from the Synod of the Carolinas was introduced through the Committee on Bills and Over-tures, which was as follows, viz.

Are they who publicly profess a belief in the doctrine of the universal and actual salvation of the whole human race, or of the fallen angels, or both, through the mediation of Christ, to be admitted to the sealing ordinances of the gospel?

“The Assembly determined that such persons should not be admitted.”—*Minutes*, 1792, p. 60.

Bethel Presbytery have not leave to recognize the body within their bounds, known as Independent Presbyterians, and commune with them.

“The Committee on Overture No. 3, viz. a question from the Presbytery of Bethel respecting holding communion with the followers of William C. Davis, a deposed minister, and calling themselves Independent Presbyterians, reported that in their judgment the questions proposed in said Overture ought to be answered in the negative. They therefore would recommend the adoption of the following resolution, viz.

Resolved, That while this Assembly readily acknowledges the right of the Session to determine according to the Scriptures and the constitution of our Church the qualifications for admission to sealing ordinances, yet they feel it to be their duty to declare that in their judgment the services of those who have received only lay-ordination, or of those who have been deposed from the gospel ministry, are unscriptural and unwarrantable; and therefore an attendance on their ministrations cannot be in the order of the gospel, and ought to be discouraged and discountenanced by every friend of the Redeemer's kingdom.

The above report was adopted.”—*Minutes*, 1833, p. 493.

The above decision modified under a change of circumstances.

“Overture No. 12. The request of the Presbytery of Bethel to permit them to recognize the body known as Independent Presbyterians within their bounds and commune with them. The Committee submitted

the following report upon this subject, which was adopted, viz. The Committee having had the Commissioner from the Bethel Presbytery before them, and being informed that the body of Independent Presbyterians referred to, consist only of about twenty churches and a small number of ministers, mostly within the bounds of the Bethel Presbytery, who are the best judges of their soundness in the faith, and it being further represented that the errors for which in the year 1833, the General Assembly prohibited intercommunication, have been abandoned by the aforesaid Independent Presbyterians, the Committee do therefore recommend that the Bethel Presbytery have leave to establish such friendly relations as they may deem proper under the present circumstances, notwithstanding the resolutions of the General Assembly of 1833, which were passed at the request and upon the representation of the Bethel Presbytery, as appears from the printed minutes of the General Assembly, Vol 7, page 493."—*Minutes*, 1843, p. 177.

Are persons engaged in the sale of intoxicating drinks incapable of church membership?

"On motion, it was *Resolved*, that the Records [of the Synod of Pittsburgh] be approved, except so far as they seem to establish a general rule in regard to the use and sale of ardent spirit as beverage, which use and sale are generally to be decidedly disapproved, but each case must be decided in view of all the attendant circumstances that go to modify and give character to the same."—*Minutes*, 1843, p. 189.

OF THE SOLEMNIZATION OF MARRIAGE.

[Directory for Worship, Chapter XI.]

II. "*Whether licentiates of our Church can solemnize marriages where they are authorized to do so by the laws of the States.*"

Resolved, That while our Form of Government does

not recognize licentiates as ministers of the gospel, yet this Assembly do not consider them as violating any rules of the Church by solemnizing marriages in those States where the civil laws expressly authorize them to do it.—*Minutes*, 1844, p. 377.

II. *On the marriage of Professing Christians with the heathen.*

“In performing the work of missions among the heathen many difficulties will arise requiring great wisdom and forbearance, and which can be overcome only by a wise application of scriptural rules. Of this kind are the cases respecting marriage which will frequently occur so long as the great majority of the people are heathen. That the apostolical direction, ‘be ye not unequally yoked together with unbelievers,’ is the advice of the Lord by the Apostle, and is to be observed carefully in all cases as far as practicable, is true. But like other divine injunctions it must be applied in all cases with due consideration of circumstances. It is not therefore to be regarded as sinful universally and necessarily for a Christian to marry a heathen; nor is a Christian to be subjected to discipline on this account, unless the circumstances show criminality and require the infliction of censure; of which circumstances, the missionaries are the best judges. The overture was put on the docket.”—*Minutes*, 1850, p. 458.

Marriage with a brother's widow.

III. “The affair of Andrew Van Dyke, that was referred from the Presbytery of New Castle to the Synod, came under consideration, and a considerable time being spent in discoursing upon it, it was determined, *nemine contradicente*, that his marriage with his brother's wife or widow was incestuous and unlawful, and their living together as the consequence of that marriage is incestuous and unlawful; and that so long as they live together, they be debarred from all sealing ordinances.”—*Records*, 1717, p. 48.

Where the relicts of a brother and sister had married.

“That such a marriage, however inexpedient it be, yet as we cannot find it prohibited by the Levitical law, is not to be condemned as incestuous.”—*Records*, 1760, p. 303.

Marriage with a half brother's widow and with the sister of a deceased wife.

“That as the Levitical law, enforced also by the civil laws of the land, is the only rule by which we are to judge of marriages, whoever marry within the degrees of consanguinity and affinity forbidden therein, act unlawfully, and have no right to the distinguishing privileges of the churches; and as the marriages in question appear to be within the prohibited degrees, they are to be accounted unlawful and the persons suspended from special communion while they continue in this relation.”—*Records*, 1761, p. 312.

Plan for preventing irregular marriages considered.

“The committee appointed to prepare a minute respecting the irregularities that occur in marriages, brought in the same, which being read and maturely examined, it appears that the difficulties that will probably attend the execution of any general plan for the prevention of said irregularities are so great and so numerous that they may be expected to render it abortive; it was therefore concluded by a great majority, to dismiss the whole affair.”—*Records*, 1770, p. 403.

May a man lawfully marry his wife's brother's daughter?

“The Committee appointed yesterday upon the case respecting marriage, brought in a minute, which after being corrected, was approved, and is as follows:

After mature deliberation the Synod declare their great dissatisfaction with all such marriages as are inconsistent with the Levitical law, which in cases matrimonial we understand is the law of our nation, and that persons intermarrying in these prohibited

degrees, are not only punishable by the laws of the country, but ought to suffer the censures of the church; and further judge, though the present case is not a direct violation of the express words of the Levitical law, yet as it is contrary to the custom of Protestant nations in general, and an evidence of great untenderness, and so opposite to such precepts of the gospel as require Christians to avoid things of ill report, and all appearance of evil, and what is offensive to the church; that the persons referred to in this instance ought to be rebuked by the church session, and others warned against such offensive conduct; and in case these persons submit to such rebuke, and are in other respects regular professors, that they be not debarred of Christian privileges. And Mr. Hunter is ordered to read this minute publicly in his congregation, where the persons live, referred to in the above case.” —*Records*, 1772, p. 427.

Shall a man who has married the sister of his former wife, and been debarred from church privileges, more than two years, be capable of church privileges, their marriage notwithstanding?

“Anthony Dushane, who has married the sister of his former wife, and whose case has been before the Synod for two years past, preferred a petition that he might no longer be debarred the privileges of the church on account of said marriage. After full and deliberate discussion the question was put, Shall Anthony Dushane and his wife be capable of Christian privileges, their marriage notwithstanding? which was carried in the affirmative by a considerable majority.” —*Records*, 1782, p. 495.

[Remonstrances from sundry congregations were brought in by the Committee of Overtures requesting a reversal of the above decision, respecting the marriage of a man with his former wife's sister, and the Synod adopted the following:]

“The Synod having again resumed the consideration of the judgment which they passed last year concern-

ing Anthony Dushane, declare their dissatisfaction with all such marriages as are inconsistent with the Levitical law, and persons marrying within the degrees of consanguinity prohibited in that law, ought to suffer the censures of the church; and they further judge, that although the marriage of a man to two sisters successively, viz. to the one after the death of the other, may not be a direct violation of the express words of that law, yet as it is contrary to the custom of the Protestant churches in general, and an evidence of great untenderness toward many serious and well disposed Christians, and may through the prejudices or generally received opinions of the members of our church, be productive of very disagreeable consequences; the persons contracting such marriages are highly censurable, and the practice ought to be disallowed in express terms by the Synod, and we do therefore condemn such marriages as imprudent and unseasonable. Yet as some things may be done very imprudently and unseasonably, which when done ought not to be annulled, we are of the opinion that it is not necessary for the persons whom this judgment respects, to separate from one another, yet they should not be received into the communion of the church without a solemn admonition, at the discretion of the session of the congregation to which they belong; and the Synod publicly recommend it to all their members to abstain from celebrating such marriages, and to discountenance them by all the proper means in their power.”—*Records*, 1783, p. 500.

May a person who has married his former wife's half brother's daughter, be admitted to church privileges?

“A reference from the Synod of Virginia was received through the Committee of Overtures, respecting a certain Charles Mitchel, who had married his former wife's half brother's daughter, requesting the opinion of the Assembly whether such persons may be admitted to church privileges. Whereupon,

Resolved, That though the Assembly would wish to discountenance imprudent marriages or such as

tend in any way to give uneasiness to serious persons, yet it is their opinion that the marriage referred to is not of such a nature as to render it necessary to exclude the parties from the privileges of the church.” —*Minutes*, 1797, p. 127.

Case of marrying a deceased wife's sister's daughter.

[A reference was reported from the Synod of the Carolinas] “on the petition of John Latham, who has married his deceased wife's sister's daughter, praying a reconsideration of his case which was tried and issued against him nine years ago in the Synod of the Carolinas.

After mature deliberation, it was resolved that the case of John Latham referred for the decision of the General Assembly, by the Synod of the Carolinas, be remitted to the said Synod, and that they be directed to review the case; and if they shall judge it to be consistent with the existing laws of the State and the peace of the church, they may admit the parties alluded to, to its privileges.” —*Minutes*, 1799, p. 176.

Are a man and his wife admissible to church privileges, where the woman is sister's daughter to the man's former wife?

“The session of the church of Westminster, in Jefferson county, State of Tennessee, having requested the direction of this Assembly in a case of discipline, viz. Whether a man and his wife were admissible to church privileges who had been related to each other as uncle and niece; that is to say, the woman being sister's daughter to the man's former wife, whereupon the Assembly

Resolved, That such marriages as that in question have been determined both by the late Synod of New York and Philadelphia, and by the General Assembly, to be on the one hand not forbidden by the laws of God, and on the other hand to be contrary to the general practice of Protestant churches, and the feelings and opinions of many serious Christians among

ourselves, and on that account to be discountenanced, therefore,

Resolved, That when such marriages take place, the session of the church where they happen, are carefully to consider the case, and if they think it expedient, to administer such discipline, as they may judge to be deserved, for that want of Christian tenderness and forbearance that are incumbent on all the professors of our holy religion, or for violating any municipal law, if this has been done; and then to admit or restore them to good standing in the church. And if the session judge that the state of society is such where these marriages take place, as that neither the duty of Christian tenderness and forbearance, nor the laws of the State have been violated, they may admit the persons concerned to Christian privileges without censure."—*Minutes*, 1802, p. 248.

A similar case.

"The Assembly agreeably to the order of the day proceeded to consider the reference from the Synod of Pittsburgh, relating to a certain marriage.

It appeared that a Mr. James Gaston had been censured as being guilty of incest for having married a woman who was sister's daughter to his former wife; and had brought the cause by appeal to the Synod of Pittsburgh. The Synod conceiving that the cause involved a high question of discipline, chose to refer it to the General Assembly for their decision.

The Assembly having discussed the subject at some length, a motion was made and seconded, that the decision given by the General Assembly in the year 1802, in a case precisely similar, be adopted as the decision on the present occasion.

After some consideration a motion was made and carried, to postpone the motion before the house in order to introduce the following as a substitute, viz.

The Assembly having given repeated decisions on similar cases, cannot advise to annul such marriages, or pronounce them to such a degree unlawful, as that the parties if otherwise worthy, should be debarred

from the privileges of the church. But as great diversity of opinion seems to exist on such questions in different parts of the church, so that no absolute rule can be enjoined with regard to them that shall be universally binding and consistent with the peace of the church, and as the cases in question are esteemed to be doubtful, the Assembly is constrained to leave it to the discretion of the inferior judicatories under their care, to act according to their own best lights and the circumstances in which they find themselves placed.

A question was then taken to agree to the substitute and determined in the affirmative."—*Minutes*, 1804, p. 306.

A man marrying his brother's widow.

"The appeal of Mr. William Adams from a decision of the Synod of Pittsburg was laid before the Assembly. The minutes of the Synod respecting the case being read, it appeared that the said William Adams had married his brother's widow; that his case having been brought before the Presbytery of Erie, the said Presbytery had pronounced his marriage unconstitutional, and that the Synod upon appeal had confirmed the judgment of the Presbytery. From this judgment of the Synod, Mr. Adams appealed to the General Assembly.

The Assembly having taken the subject into consideration were informed by some of their members, who are also members of the Synod of Pittsburgh, that Mr. Adams's moral and religious character is perfectly fair and exemplary, except in what respects his marriage, which was contracted above fifteen years ago."

[The report of the Committee to whom the appeal was referred] "having been read and amended, was adopted, and is as follows, viz.

"Whereas frequent decisions on marriages of a similar nature have been given by the late Synod of New York and Philadelphia, and by the General Assembly; and whereas it appeared on these occasions that

while such marriages are offensive to some, to others they appear lawful, therefore this Assembly consider the subject doubtful and delicate, and do not think it expedient to express any opinion on the decision of the Synod of Pittsburgh in the present case. But in conformity to a decision made by last Assembly on a marriage somewhat similar, this General Assembly refers the case of Mr. Adams to the session of the church of Rocky Spring, or that of any other in which he may be, and leave it to their discretion 'to act according to their own best light and the circumstances in which they find themselves placed.'—*Minutes*, 1805, p. 338, 340.

Marrying a deceased wife's sister.

"A reference from Bethel church, South Carolina, was overtured, requesting the decision of the Assembly in relation to a case in which a person had married the sister of his deceased wife. On motion,

Resolved, That this reference be answered by the decision of the Assembly of 1804." (See decision on the case of Mr. Gaston, on page 152.)—*Minutes*, 1810, p. 456.

Marrying a deceased wife's sister.

"The Committee to which had been referred the appeal of Mr. William Vance from the judgment of the church session of Cross Creek, and the judgment of the Presbytery of Washington, Pa. by which judgment Mr. Vance has been excluded from church privileges on account of his being married to the sister of his deceased wife, reported, and their report was read, and the consideration and discussion of it was postponed, to take into consideration the following resolutions, which after a full discussion were adopted by the Assembly as their decision in the case, viz.

Resolved 1. That in the opinion of this General Assembly, the marriage of a man to the sister of his deceased wife and all similar connections are highly inexpedient, unfriendly to domestic purity, and exceedingly offensive to a large portion of our churches.

2. That it be and it hereby is earnestly enjoined upon the ministers, elders, and churches of our communion, to take every proper occasion to impress the sentiments contained in the foregoing resolution on the public mind, and by all suitable means to discourage connections so unfavourable in their influence on the peace and edification of the church.

3. That while the Assembly adopt the opinion and would enforce the injunction above expressed, they are by no means prepared to decide that such marriages as that in question are so plainly prohibited in Scripture, and so undoubtedly incestuous, as necessarily to infer the exclusion of those who contract them from church privileges; they therefore refer the case of Mr. Vance back again to the Session of the church of Cross Creek, agreeably to former decisions of the General Assembly in similar cases, to be disposed of in such manner as the said session may think most conducive to the interests of religion."—*Minutes*, 1821, p. 15.

"The Committee to which had been referred the memorial of the session of Cross Creek, on the subject of incestuous marriage in the case of a Mr. Vance, who had married his deceased wife's sister, reported; and their report being read was adopted, and is as follows, viz.

That after the most mature deliberation, they are of opinion that there is no good reason why the resolutions of the last Assembly on this case should be altered."—*Minutes*, 1822, p. 17.

Case of marriage with a deceased wife's sister, and overture to the Presbyteries on the subject of altering the constitutional rule on marriage.

"The Committee on Mr. McCrimmon's appeal from a decision of the Presbytery of Fayetteville, confirming his suspension from the communion of the church, for having married his deceased wife's sister, reported that in their opinion no relief can be given to the said McCrimmon without an alteration of the Con-

fession of Faith, [Chap. xxiv. Sec. 4,] the last clause of which declares that "The man may not marry any of his wife's kindred nearer in blood than he may of his own, nor the woman of her husband's kindred nearer in blood than of her own;" but inasmuch as a diversity of opinion and practice obtains on this very important subject, your Committee beg leave to submit the following resolution, viz.

Resolved, That the Presbyteries be and they are hereby directed to take this matter into serious consideration, and send up in writing to the next General Assembly an answer to the question, whether the above quoted clause of our Confession shall be erased. The above report was adopted."—*Minutes*, 1826, p. 22.

Result of foregoing Overture.

"There are connected with the Assembly eighty-eight Presbyteries; forty-five therefore are necessary to make any alteration in the constitution of the church.

In regard to the proposed erasure of the 4th section of the 24th chapter of the Confession of Faith, sixty-eight Presbyteries have reported; fifty of them against the erasure, and eighteen in favour of it. The section therefore is not to be erased."—*Minutes*, 1827, p. 132.

A minister being suspended from the ministry and from Church privileges for marrying a sister of his deceased wife, and his Presbytery having refused to restore him, he memorializes the General Assembly.

"*Resolved*, That the prayer of the memorialist be granted so far as that this General Assembly recommend to the Presbytery of Fayetteville to reconsider their decision in the case of the Rev. Archibald McQueen; and if in their judgment it should appear conducive to the peace of the church and the promotion of religion in the region around them, to restore Mr. McQueen to the communion of the church and to

the exercise of the functions of the gospel ministry, on the ground that in his case the ends of discipline are attained by the operation of the sentence under which Mr. McQueen has been lying for a period of three years."—*Minutes*, 1845, p. 32.

VI. "*What is a sufficient publication of the purpose of marriage, according to the second sentence of the sixth section of the eleventh chapter of the Book of Discipline?*"

"*Resolved*, That the following be given as an answer to this question, viz:—That the Presbyteries are the best judges in the case."—*Minutes*, 1820, p. 740.



GENERAL RULES FOR JUDICATORIES.

[Appendix.]

3. "*Resolved*, As the opinion of the Assembly, that from the nature of the thing, two or more members of any judicatory, meeting according to adjournment, may adjourn from day to day until a sufficient number attend for the transacting of business; and in case a quorum should not attend within a reasonable time, that the Moderator shall be considered as competent to fix any time and place he may judge proper for convening the body; and if he be absent, that the members assembled shall represent the matter speedily to him, that he may act accordingly."—*Minutes*, 1796, p. 113.

[A *pro re nata* meeting may be called to fix the time for a regular meeting, as well as for any other specified purpose.—*Minutes*, 1849, p. 247.]

"An overture from Lake Presbytery, inquiring whether a *pro re nata* meeting for an ordination, adjourned for six weeks, by two members, for want of a quorum, was unconstitutional and the ordination void,"

was answered in the negative.—*Minutes*, 1849, p. 246.

When there is not a quorum present, all proceedings and acts of the members assembled are unconstitutional and invalid, except so far as relates to the appointment of the time and place for the next meeting.

“The Committee to whom was referred the Record of the Synod of West Tennessee, beg leave to report, That it appears from the Record, that certain members of the Synod of West Tennessee, met at Knoxville, Tennessee, Oct. 12, 1848, and constituted themselves the Synod of West Tennessee, contrary to the Form of Government, Chap. xi., Sec. 2, there being seven ministers present, but four of them were from one Presbytery.

The Committee, therefore, recommend :

1st. That the Assembly declare all proceedings and acts of those members of the Synod of West Tennessee, found recorded on pp. 214–230, unconstitutional and invalid, except so far as relates to the appointment of the time and place for the next meeting of Synod.

2d. That the Synod be directed to review, at its first regular meeting hereafter, the proceedings and acts of said members of the Synod, and that they adopt or reject the same in whole, or in part, as they may see fit.

3d. That the Records not having had the sanction of the Synod of West Tennessee, this Assembly does not pronounce any further opinion upon them.”—*Minutes*, 1849, p. 248.

4. [The Records of the Synod of Virginia, are approved, with the exception of a resolution] “to discontinue the practice of calling upon their members for the reasons of their absence from its meetings.”—*Minutes*, 1825, p. 257.

[The Records of the Synod of the Carolinas, were approved,] “with the exception of the resolution to make a minister liable to suspension without trial, for three years’ absence from Synod without sending forward his reasons for absence.”—*Minutes*, 1811, p. 468.

A minute recording a fact cannot be amended but by a unanimous vote of the house; it may however be reached by a vote to reconsider the vote adopting it.

“The minutes of the last session were read. It was moved to strike out the minute of the exceptions taken to the Records of the Synod of New Jersey. The Moderator suggested that the motion was out of order, but he would put it to the house; which having been done, the motion was sustained, with the exception of one *no*. The Moderator then declared the motion lost, as a minute recording a fact could not be amended but by a unanimous vote of the house, and he suggested that the case could be reached only by a motion to reconsider the vote of yesterday, by which the house refused to reconsider the vote adopting the report of the Committee on the Records of the Synod of New Jersey. An appeal was taken from this decision, and the decision was sustained.”—*Minutes*, 1841, p. 424.

38. “The Presbytery of Louisiana should have recorded the results of the interlocutory meeting referred to in the complaint.”—*Minutes*, 1850, p. 481.

40. “That the Synod [of Mississippi] acted unconstitutionally in permitting the Presbytery of Louisiana to vote on the adoption of the report of the Judicial Committee on the complaint of Rev. Mr. Smylie. That the Synod should have placed on its records the above-mentioned report” [of the Judicial Committee.]—*Minutes*, 1850, p. 481.

MISCELLANEOUS MATTERS.

Absence.

“*Resolved*, That as a standing rule of the Assembly, a committee of five shall be appointed, whose duty it shall be to consider all applications for leave of absence, with power to decide on the same, in place of the house, and with instructions to require in every case satisfactory reasons for the necessity of such absence, and report to the house at the commencement of every session, the members so dismissed; and that an appeal to the Assembly may be made in any instance of refusal on the part of the committee to grant the application.”—*Minutes*, 1833, p. 474.

“A memorial was received from the Presbytery of Sydney, requesting the Assembly to take order against granting its members leave of absence. Whereupon,

Resolved, That the Committee on Leave of Absence, be instructed to give leave to members of the Assembly to be absent from the sessions only for manifestly sufficient reasons; and in general, for such reasons as have arisen since the Assembly has convened.”—*Minutes*, 1843, p. 173.

[The Committee on Leave of Absence] “wish to be instructed as to the degree of strictness which they shall observe in refusing leave of absence to members.” The Committee, on motion, “were instructed to apply the rule rigidly.”—*Minutes*, 1847, p. 394.

Accused, Rights of the.

“Messrs. Ker and Rankin, the Commissioners to this Assembly, from the Presbytery of Lewes, in behalf and by the order of the said Presbytery, applied to the Assembly, and remonstrated against a decision of the last Assembly, in the case of Mr. Hindman,

in which they conceive the Presbytery of Lewes is virtually condemned, without their having had an opportunity of defending themselves, which they conceive they could readily have done.

After considerable discussion, it was

Resolved, As the sense of this house, that no man, or body of men, agreeably to the Constitution of this Church, ought to be condemned, or censured, without having notice of the accusation against him, or them, and notice given for trial. And, therefore, that if the General Assembly of last year meant, by the minute in question, to pass a censure on the Presbytery of Lewes, it was informal."—*Minutes*, 1793, p. 71.

Agencies.

"*Resolved*, That it is the deliberate conviction of this Assembly, formed as the result of much experience, that an efficient system of agencies, by which the churches of our connection may be visited from year to year, is in the present condition of Christian feeling and knowledge on the subject of benevolent operations, absolutely indispensable."—*Minutes*, 1840, p. 305.

Amusements.

"On the fashionable, though, as we believe, dangerous amusements of theatrical exhibitions and dancing, we deem it necessary to make a few observations. The theatre we have always considered as a school of immorality. If any person wishes for honest conviction on this subject, let him attend to the character of that mass of matter which is generally exhibited on the stage. We believe all will agree, that comedies at least, with a few exceptions, are of such a description that a virtuous and modest person cannot attend the representation of them, without the most painful and embarrassing sensations. If indeed custom has familiarized the scene, and these painful sensations are no longer felt, it only proves that the person in question has lost some of the best sensi-

bilities of our nature, that the strongest safeguard of virtue has been taken down, and that the moral character has undergone a serious depreciation.

With respect to dancing, we think it necessary to observe, that however plausible it may appear to some, it is perhaps not the less dangerous on account of that plausibility. It is not from those things which the world acknowledges to be most wrong, that the greatest danger is to be apprehended to religion, especially as it relates to the young. When the practice is carried to its highest extremes, all admit the consequences to be fatal; and why not then apprehend danger, even from its incipient stages? It is certainly in all its stages a fascinating and an infatuating practice. Let it once be introduced, and it is difficult to give it limits. It steals away our precious time, dissipates religious impressions, and hardens the heart. To guard you, beloved brethren, against its wiles and its fascinations, we earnestly recommend that you will consult that sobriety which the sacred pages require. We also trust that you will attend with the meekness and docility becoming the Christian character, to the admonitions on this subject of those whom you have chosen to watch for your souls. And now, beloved brethren, that you may be guarded from the dangers we have pointed out, and from all other dangers which beset the path of life, and obstruct our common salvation, and that the Great Head of the Church may have you in his holy keeping, is our sincere and affectionate prayer. Amen."—*Pastoral Letter, Minutes, 1818, p. 690.*

Catechists.

“The Committee to whom was referred the letter of Mr. Rice, containing a plan for catechetical instruction, and the letter of the Presbytery of West Lexington on the same subject, reported

That the Assembly ought not to sanction the plan, as it would be dangerous to the Church to employ illiterate men as exhorters or catechetical instructors.

The Assembly having read and duly considered this report,

Resolved, That it be and it hereby is adopted.”—*Minutes*, 1806, p. 363.

Bishop.

“On motion, it was

Resolved, That the word ‘minister’ be substituted for the word ‘bishop,’ in preparing the *Minutes*.”—*Minutes*, 1846, p. 189.

Bigamy.

[A married man left Ireland in the hope of better providing for his family here; he returned three times to bring his family, but his wife refused, and at the last time, refused all further cohabitation with him. After ten years of separation, he married, and has several children in second marriage. He and his wife desire communion.]

* * * “This man ought not to be admitted to the privileges of the church; because, although wilful and obstinate desertion is a legal cause of divorce, yet it does not appear that this man has actually been divorced from his wife; and it is improper and dangerous to receive to church communion such persons as, in the eye of the civil law, are living in vice.” * * * “But, the decision of the Assembly notwithstanding, if it shall appear that this man has separated from his wife by her wilful and obstinate desertion, and that he has taken all just means to obtain a divorce, to which he was lawfully entitled, but was prevented and oppressed by the power of antagonists or of unjust courts; and if he shall moreover produce such evidence of these facts from the place in which they happened, as would entitle him to a divorce by the laws of this land and of this church, then, in that case, it is the opinion of the General Assembly that such man behaving himself otherwise as a good Christian, may be admitted to church privileges. But in such case, it is necessary that the most authentic evidence be required and great caution used, both that the proceedings of the church may

not be inconsistent with the civil law, and that a door be not opened to laxness on this important subject of morals.”—*Minutes*, 1790, p. 28.

Charters.

“Overture No. 8 was taken up and adopted, and is as follows, viz.

Considering that it is necessary to the due and orderly maintenance of the Constitution of the Presbyterian Church, in its various provisions, that care be taken in obtaining legal enactments of a secular kind, that they be so formed as not to come in conflict with any such provisions; and whereas, it is known that instances have existed, and probably do still exist, in which the charters of churches and perhaps other legal instruments, are so framed that the laws of the Church and the laws of the land are not reconcilable with each other: therefore

Resolved, that the General Assembly earnestly recommend it to all the congregations under their supervision, that in resorting to the legislatures or tribunals of our country, they use the utmost care to ask nothing which if granted, will, in any respect, contravene the principles or order of our Church; and in any cases in which civil enactments, heretofore obtained, do militate with any of the principles or order of our Church, they endeavour, as soon as possible, to obtain the repeal or modification of such enactments, so as to make them consistent with the ecclesiastical order and principles of the Presbyterian Church.”—*Minutes*, 1838, p. 26.

Commissioners returning home without leave, or before the close of the sessions.

“Whereas, it has frequently happened that members of this Assembly, neglecting their duty and inattentive to the rules of decorum, have abruptly left the Assembly and returned home without leave of absence,

Resolved, That in all similar cases which shall occur in future, it shall be the duty of the Clerk of this House to give notice thereof to the Presbyteries to

which such delinquent members may belong; and it be recommended to the said Presbyteries, in their settlements with such delinquents, not to allow them any compensation for services as members of the Assembly.”—*Minutes*, 1801, p. 233.

“The Committee to whom was referred the resolution offered respecting the Commissioners’ Fund, made the following report which was adopted, viz.

1. It is, in the opinion of this General Assembly, highly important that Commissioners should not be appointed unless it shall satisfactorily appear to the several Presbyteries that they design to remain throughout the sessions.

2. That in order to procure, as far as possible, this desirable object, it be and it is hereby ordered that no Commissioner who shall obtain leave of absence within the first six days of the sessions, shall be entitled to receive any thing from the Commissioners’ fund, unless the Assembly shall order otherwise when the reasons of the application are given.”—*Minutes*, 1827, p. 121.

“The Committee [on Leave of Absence] would present to the consideration of the General Assembly as a serious evil, the frequent applications on the part of Commissioners, especially of Elders, for permission to return home, within a few days after the coming together of the Assembly. We believe that according to the Constitution of our Church, the Ruling Elders are essential parts of our church judicatories; and if so, it is as important that they be present during the whole sessions of the judicatory, as at its opening. Many of them have their travelling expenses paid by their Presbyteries with a view to secure their attendance, and yet comparatively few are willing to remain till the Assembly is dissolved. The Committee have remarked that these applications for leave most commonly are made, not by those whose residence is far off from our place of meeting, but by those who can reach their homes in a few hours. Under these views the Committee are often embarrassed in regard to their proper course of duty. They would be kind and

indulgent, but they desire too to be true to the trust committed to them; and they respectfully suggest to the Assembly, the adoption of the following resolution, viz.

Resolved, That the Presbyteries, in the appointment of Commissioners to the General Assembly, be directed to use great care and diligence in the selection of such Ministers and Ruling Elders as will be willing and able to remain during the entire sessions of this body.”—*Minutes*, 1842, p. 21.

Clerks.

“*Resolved*, That the Stated Clerk have printed and distributed among the members, a list of the names of members, and also of the names of the members of the several Committees appointed by the Assembly.”—*Minutes*, 1834, p. 7.

“*Resolved*, That the Stated Clerk of each Synod be required to mention in his report to the General Assembly, the time and place of the next meeting of his Synod, and that the Stated Clerk of the General Assembly cause the time and place of such meetings to be published in the Appendix to the Minutes of the Assembly.”—*Minutes*, 1841, p. 425.

Churches, mode of organizing.

“The Committee to whom was re-committed the report to the last Assembly on the organization of new churches, reported again, and their report was read and adopted, and is as follows, viz.

That a particular Presbyterian Church, so far as adults are concerned, is constituted and organized, as such, by a number of individuals, professing to walk together as the disciples of Jesus Christ, on the principles of the Confession of Faith, and Form of Government of the Presbyterian Church, and the election and ordination of one or more ruling elders, who, by the ordination service become the spiritual rulers of the persons voluntarily submitting themselves to their authority in the Lord.

This organization ought always to be made by ap-

plication to the Presbytery, within the bounds of which the church to be organized is found, unless this be exceedingly inconvenient, in which case it may be done by a duly authorized missionary, or a neighbouring minister of the gospel.

At the time appointed for the purpose, after prayer for divine direction and blessing, the presiding minister, or committee appointed by the Presbytery, should first receive from those persons to be organized into the new church, if they have been communicants in other churches, letters of dismission and recommendation; and in the next place, examine and admit to a profession of faith, such persons as may offer themselves, and may be judged suitable to be received on examination. If any of these persons admitted to a profession on examination, have not been baptized, they should, in this stage of the business, be made the subjects of Christian baptism.

The individuals ascertained in the foregoing manner to be desirous and prepared to associate as a church of Christ, should now, by some public formal act, such as rising, joining hands, or subscribing a written statement, agree and covenant to walk together in a church relation, according to the acknowledged doctrines and order of the Presbyterian Church.

The next step is to proceed to the election and ordination of ruling elders, in conformity with the directions given on this subject in the Form of Government of the Presbyterian Church.

Deacons are to be elected and ordained in like manner as in the case of ruling elders.

When a church has been organized in the manner already described, report of the same should be made as soon as practicable, to the Presbytery within whose bounds it is located. And when a missionary, or other minister of the gospel, not specially appointed to the work by a Presbytery, has, in the manner above specified, organized a church, not within the known bounds of any Presbytery, the church thus organized should, as soon as practicable, make known to some Presbytery, with which it may be most natu-

rally and conveniently connected, the time and manner of its organization, and desire to be received under the care of said Presbytery.

In cases in which churches are to be formed within the known boundaries of any Presbytery, it is most desirable that persons wishing to be organized as a Presbyterian church, should petition that Presbytery to receive them under its care for the purpose of organizing them in due form.

There may be people in destitute portions of our land, who may be disposed to associate for the purpose of forming a Presbyterian congregation, when no minister of the gospel can be obtained to aid them. The forming of associations for such a purpose, in the circumstances contemplated, should be considered not only as lawful, but highly commendable. And such associations when formed, should, as speedily as possible, take measures for obtaining the preaching of the gospel, and for becoming organized as regular churches.

Cases may also occur, in various places, in which a collection or association of people may desire the preaching of the gospel, and be willing, in whole or in part, to support it, and yet may not have suitable men among them to sustain the office of ruling elders.

Such people may, and ought to obtain a preacher of the gospel to labour among them, and occasionally to administer ordinances, under the direction of some Presbytery, till they shall find themselves in circumstances to make a proper choice of ruling elders, and to have them regularly set apart to their office."—*Minutes*, 1831, p. 177.

Deacons.

"No. 2, was further considered, and the resolution was amended and adopted as follows, viz.

That it be enjoined upon all the Presbyteries under the care of the General Assembly, to take such order on this subject as shall secure the appointment of deacons in all the churches, with the exception of those

in which it is impracticable from the paucity of male members.”—*Minutes*, 1840, p. 286.

Elders.

[Where the ruling elders cease to act, with a view to promote the peace of the Church, it is recommended that no persons accept the office, unless they shall obtain the suffrages of at least two-thirds of the electors participating in the election.]

“The Assembly earnestly recommend to the whole session, including the majority and the minority, in view of the state of the Fifth Church, to take the constitutional steps and cease from acting as ruling elders in that congregation, and that the entire church take immediate measures to elect a new bench of elders, with a view to promote the peace of the church and secure the permanent settlement of the gospel ministry among them. And further, that it be recommended to the persons so elected not to accept the office, unless they shall obtain the suffrages of at least two-thirds of the electors participating in the election.”—*Minutes*, 1834, p. 39.

First-born.

“The Committee of Overtures laid before the Assembly the following question:

If a living child is born in five months and twenty days after the marriage of its parents, shall the parents be dealt with as guilty of ante-nuptial fornication?

On motion, *Resolved*, That as said overture is *in thesi*, and decisions on questions of this nature must in most instances depend on attendant circumstances, the Assembly do not judge it proper to decide on the abstract question.”—*Minutes*, 1808, p. 403.

Lotteries.

“It is our duty further to testify that all encouragement of lotteries, and purchasing of lottery tickets; all attendance on horse-racing, and betting on such, or any other occasions; and all attempts of

whatever kind to acquire gain, without giving an equivalent, involve the gambling principle, and participate in the guilt that attaches to that vice.”—*Pastoral Letter, Minutes*, 1818, p. 690.

Mileage.

“*Resolved*, That the members entitled to mileage, shall give to the Committee on the Commissioners’ Fund, within three days after the appointment of said Committee, in writing, their names, the names of their Presbyteries and their distance from home to the Assembly; and if any member neglects to comply with this resolution, he shall forfeit his portion of said fund; and that no member may be ignorant of this resolution, the Moderator shall read it as soon as the Committee on said fund is appointed each year.”—*Minutes*, 1818, p. 687.

Notes appended to the Constitution.

[These notes are no part of the Constitution. When a second edition of the Standards of our Church was thought desirable, a committee was appointed by the Assembly to select the Scripture proofs. The notes were reported along with the proofs, and were approved by the Assembly, and directed to be printed in the form in which they now appear. The notes then are expositions of some of the principles of the Presbyterian Church, given by the highest judicature, and are of the same force with the other acts of that judicature, and subject to alteration, amendment, or total erasure.]

“This Assembly express it as their opinion, that in printing future editions of the Constitution of this Church, the parenthesis on the note on the part of the Form of Government, which defines a Synod, and which is expressed in these words, ‘since a Synod is only a larger Presbytery,’ be omitted, as well as the note connected with the Scripture proofs, in answer to the question in the Larger Catechism, ‘What is forbidden in the eighth commandment?’ in which the na-

ture of the crime of man-stealing and slavery is dilated upon. In regard to this last omission, the Assembly think proper to declare, that in directing it they are influenced by far other motives than any desire to favour slavery, or retard the extinction of that mournful evil, as speedily as may consist with the happiness of all concerned.”—*Minutes*, 1816, p. 630.

“*Resolved*, That as the *notes* which have been expunged from our public formularies, and which some of the memorials referred to the Committee request to have restored, were introduced irregularly, never had the sanction of the Church, and therefore never possessed any real authority, the General Assembly has no power to assign them a place in the authorized standards of the Church, and does not deem it proper to take the constitutional measures for effecting their restoration.”—*Minutes*, 1836, p. 248.

Narrative of Religion.

The following proposition was introduced through the Committee of Bills and Overtures, viz.

“That the General Assembly take measures to bring into distinct view, at its different sessions, the situation of the Presbyterian Church under its jurisdiction in the United States of America, with respect to the state of religion in the different Presbyteries, the state of religious denominations among them, and the most probable expedients for reviving and promoting the essential interests of Christ’s kingdom in the world; whereupon,

Resolved, That it be recommended to each Synod to enjoin it upon the respective Presbyteries within their bounds, to specify the above particulars in the annual reports which they make of the state of their respective churches to be laid before the General Assembly at its stated meetings.”—*Minutes*, 1792, p. 59.

“*Resolved*, As a standing order, that a written statement shall annually be required from the representatives of each Presbytery or Association in the General

Assembly, which written statement shall first be read by one of such representatives; after which, each of the other representatives shall be permitted to add verbally all the information not contained in the written statement which he may judge worthy of the attention of the Assembly.”—*Minutes*, 1811, p. 468.

“*Resolved*, That the Narrative on the State of Religion annually contain a notice of the decease of all the ministers of our church, who may have been removed by death during the preceding year, and the several Presbyteries are ordered to incorporate with their reports on the state of religion made to the Assembly, the case of every such removal within their bounds.”—*Minutes*, 1822, p. 10.

Prayer for the General Assembly.

“An Overture from the Synod of North Carolina was received and read, and is as follows:

Whereas, the General Assembly is the highest and most important judicatory of the Presbyterian Church, and whereas, to obtain the Divine blessing on that judicatory, must appear to every Christian of our denomination to be a matter of the utmost moment; therefore

“*Resolved*, That this Synod do respectfully suggest to the General Assembly, the propriety of recommending to all the churches under their care, to observe, annually, the afternoon or evening previous to the meeting of that body, as a season of special prayer to Almighty God for his blessing; that he would of his infinite mercy condescend to superintend and direct all their measures, deliberations, and decisions, so that all may redound to the promotion of his own glory, and the general prosperity of that particular Church to which we belong.”—*Minutes*, 1821, p. 6.

Parsonages.

“Overture No. 23. Which was adopted, as follows, viz.

For the purpose of facilitating the settlement and support of pastors, and to guard more effectually

against the temptation, or almost necessity, as in some cases seems to exist, for ministers to involve themselves, to the injury of their usefulness, in procuring accommodations for themselves and families;

1. *Resolved*, That it be earnestly recommended to our churches wherever it is expedient and practicable, to provide suitable parsonages for the accommodation of their pastors.

2. *Resolved*, That great care be taken to have these parsonages so guarded by legal arrangements, as most effectually to prevent controversy and secure their perpetual enjoyment by the churches providing them, for the continued support of the gospel through coming generations."—*Minutes*, 1843, p. 193.

Proofs.

[Another impression of the Confession of Faith appearing expedient,] "in which, if the Scripture proofs were inserted at length, it would become more acceptable and might be of greater utility to the churches, it is proposed that a Committee be appointed properly to select and arrange the Scripture texts to be adduced in support of the articles in the Confession of Faith, Form of Government, and Discipline, and prepare the same to be laid before the next General Assembly."—*Minutes*, 1792, p. 58.

[Dr. Smith undertook to adduce Scripture testimony in proof of the Larger Catechism, Mr. Grier of the Shorter Catechism, and Mr. Mitchell of the Confession of Faith and Church Government. Dr. Smith dying and leaving his part unfinished, Dr. Latta was in 1793, appointed in his place. The work was submitted to the Assembly in 1794, approved and referred to a Committee to compare the proofs with those annexed to the Westminster Confession, Catechisms, and Directory, revise the whole and prepare it for press.]—*Minutes*, 1794, p. 88.

Reading Sermons.

"It is further enjoined that all our ministers and

probationers forbear reading their sermons from the pulpit, if they can conveniently.”—*Records*, 1761, p. 310.

“The General Assembly has reason to believe that the practice of reading sermons in the pulpit is greatly on the increase amongst our ministers, and being decidedly of the opinion that it is not the best method of preaching the gospel, it hereby recommends the discontinuance of the practice as far as possible, and earnestly exhorts our younger ministers to adopt a different method, as more scriptural and effective.”—*Minutes*, 1841, p. 448.

“*Resolved*, That we do earnestly repeat the recommendation of the Assembly of 1841, that this practice be discontinued as far as practicable; and affectionately exhort our younger ministers and candidates for the ministry to adopt a different method as more scriptural and effective, and more generally acceptable to God’s people.”—*Minutes*, 1849, p. 271.

Reports Statistical.

“As the reports made to the different judicatures of our Church are intimately connected with, and depend on, each other, your committee judged it proper to submit to the Assembly a complete system on this subject, as follows, viz.

1. The Presbyteries shall direct the session of each congregation, whether supplied with a pastor, or vacant, to make an annual report to the Presbytery to which it belongs, stating the number of communicants, and the number of persons baptized the preceding year, and whether in infancy or adult years.

2. Presbyteries shall make annual reports to their Synods, stating a list of pastors in the order of seniority, with their churches annexed; of ministers without pastoral charges in the same order; of licentiates, and vacancies, distinguishing those vacancies which are able to support a pastor from those which are not. These reports should be closed by an historical account of censures, ordinations, instalments,

suspensions, depositions, translations, deaths; and also of members or licentiates received or dismissed in the usual form.

3. Synods shall report to each General Assembly, and detail the whole Presbyterian report, except the historical account above mentioned, which may be omitted at their discretion.

4. Presbyteries shall send to each General Assembly duplicates of their reports to Synod, omitting the historical details aforesaid, if they think proper, and adding the amount of the collection made by each church for the funds of the Assembly the preceding year; with such information on the missionary business as shall seem useful; provided they have not previously forwarded this information (which we earnestly recommend,) to the Committee of Missions.

5. Every fifth year, beginning with the year 1805, Presbyteries shall add to their reports to the General Assembly, and to their reports to the next preceding sessions of Synod, a detail of baptisms, communicants, &c., received from their churches at a recent date; making the same as full and correct as possible, to the end that the same may be printed with the extracts of the year, if the Assembly shall think proper.

All reports should bear date and signature, and if by any means they fail of being sent to the proper judicatory, should be forwarded to the Stated Clerk by mail or otherwise."—*Minutes*, 1803, p. 283.

"Hereafter Presbyteries are required to make no other reports to Synods than those required by Chap. x., Sec. 9, in the Form of Government, and these in as general terms as that article of the Constitution will allow."—*Minutes*, 1833, p. 485.

Recommendation of Books.

"Mr. Henry Sherman presented a number of copies of a book entitled Dr. Haweis's Communicant's Companion, and requested the recommendation of the Assembly to the work; on motion,

Resolved, That as the precedent of recommending

books would involve the Assembly in much trouble by numerous similar applications, the motion for recommending be postponed, and that the thanks of the Assembly be presented to Mr. Sherman for the donation."—*Minutes*, 1811, p. 475.

Romanism.

"1. *Resolved*, That it is the deliberate and decided judgment of this Assembly, that the Roman Catholic Church has essentially apostatized from the religion of our Lord and Saviour Jesus Christ, and therefore cannot be recognized as a Christian Church.

2. *Resolved*, That it be recommended to all in our communion, to endeavour, by the diffusion of light, by means of the pulpit and the press, and all other proper and Christian means, to resist the extension of Romanism, and lead its subjects to the knowledge of the truth, as it is taught in the word of God.

3. *Resolved*, That it is utterly inconsistent with the strongest obligations of Christian parents to place their children for education in Roman Catholic Seminaries."—*Minutes*, 1835, p. 33.

"What course ought church sessions to pursue with members of the church who send their children to Catholic boarding-schools, where they are entirely deprived of the evangelical means of grace, and are obliged to attend upon papistical services?"

"1. *Resolved*, That this Assembly deem such conduct on the part of any Protestant parents, whether church members or not, as highly injudicious, fraught with great danger to their children, and utterly inconsistent with every principle of Protestantism.

2. *Resolved*, That we deem such conduct in church members, whose children have been dedicated to God in baptism, as a violation of their vows made in that ordinance, and a great hinderance to the training up of their children in the nurture and admonition of the Lord.

3. *Resolved*, That it be recommended to all ministers in our connection where such a practice exists,

to present this subject from the pulpit, and in other suitable ways to admonish those who offend."—*Minutes*, 1849, p. 265.

Sacraments.

"It was moved that the restriction laid by the last General Assembly on our missionaries, which confines them to administer the ordinance of the Lord's Supper in such places only where there are church officers regularly appointed, be repealed, and it is hereby repealed accordingly."—*Minutes*, 1798, p. 146.

"The Committee to which was referred the appeal of the Rev. R. B. Dobbins, from the decision of the Synod of Kentucky, affirming a decision of the Presbytery of Ebenezer, in the case of the Rev. William L. McCalla, and the session of the church of Augusta, reported, and the report being read, was adopted, and is as follows, viz.

While the Assembly, as a general principle, disapprove of the administration of the sacraments by one of their ministers within the bounds of a congregation with which he is not connected, without the consent of the minister and session of said congregation; yet under the peculiar local circumstances of the people, among which Mr. McCalla occasionally administered ordinances, the Assembly cannot decide that he deserves censure, therefore,

Resolved, That the decision of the Synod of Kentucky, affirming a decision of the Presbytery of Ebenezer in regard to the complaint of the Rev. Mr. Dobbins, against the Rev. Mr. McCalla, be, and it hereby is affirmed."—*Minutes*, 1824, p. 222.

Scruples.

"The following case was overtured by the Committee of Overtures:

'Whether the General Assembly, out of their liberality, charity, and candour, will admit to their communion in the ecclesiastic assemblies, as far as they can consistently with the scrupulosity of their con-

sciences, a Presbytery who are totally averse to the doctrine of receiving, hearing, or judging of any appeals from Presbyteries to Synods, and from Synods to General Assemblies, because, in their judgment, it is inconsistent with Scripture and the practice of the primitive churches?’

In answer to which, the General Assembly reply: That although they consider the right of appeal from the decision of an inferior judicature to a superior, an important privilege, which no member of their body ought to be deprived of, yet they at the same time declare that they do not desire any member to be active in any case which may be inconsistent with the dictates of his conscience.”—*Minutes*, 1789, p. 11.

Supplies.

“The Committee to whom was referred the complaint of the minority of the session of the 1st Presbyterian Church in New Orleans, reported the following minute, which was adopted, viz.

Resolved, That since the Rev. Theodore Clapp has neither been dismissed, nor suspended by the Presbytery of Mississippi, he ought to be regarded as a member of that body; and that in the opinion of this Assembly, they have sufficient reasons for proceeding to try him upon the charge of error in doctrine.

Resolved, That as Mr. Clapp was merely a stated supply of the church in New Orleans, the Presbytery of Mississippi had a right, and it was their duty, under existing circumstances, to adopt measures to detach him from said congregation.”—*Minutes*, 1831, p. 192.

“On motion, Overture No. 14, was taken up, and it was

Resolved, That it be enjoined on all the Presbyteries to take early and efficient measures for terminating, as far as possible, the growing evil of the system of stated supplies, and for leaving all our churches to seek the regular installation of their stated teachers as pastors, in the full sense of the

term, as used in our Form of Government.”—*Minutes*, 1839, p. 177.

“That the relation of stated supply, which has grown up between many of our churches and ministers, is unknown to our system, and tends to disorder and injury in many ways. The Presbyteries are, therefore, directed to supplant it as far as possible, in all cases, by the regular pastoral relation, and to discountenance it as a permanent relation.”—*Minutes*, 1842, p. 29.

Temperance.

“Overture No. 4, viz. An extract from the Minutes of the Presbytery of New York, on the subject of intemperance, was read.

Resolved, That the Commissioners from the several Presbyteries be directed to communicate to the Committee appointed to prepare the Narrative what the Presbyteries have severally done since the last Assembly, to suppress the vice of intemperance within their bounds, that the information may be incorporated in the Narrative.”—*Minutes*, 1828, p. 226.

Territory.

[The Synod of the Carolinas in 1804 dissolved Greenville Presbytery, and directed two of the members to join Concord Presbytery, and two to join Union; making no provision for placing under the care of any Presbytery the territory over which Greenville Presbytery had jurisdiction. The Assembly direct that the boundary between Abingdon and Union Presbyteries be the same as it was in 1799, before the erection of Greenville Presbytery;] “leaving any congregations now established within the former bounds of the Presbytery of Greenville, the liberty of attaching themselves to the Presbytery of Abingdon, if, in their judgment, they shall deem such a measure conducive to their edification and the peace and unity of the Church.”—*Minutes*, 1822, p. 22.

Transfer.

[A representation and petition of the congregation of Pittsburgh, requesting to be separated from the Presbytery of Redstone and to be annexed to the Presbytery of Carlisle, was taken under consideration. A motion having been made that the prayer of the petition should be granted, after a full discussion of the subject, it was decided in the negative.]—*Minutes*, 1794, p. 86.

Trustees of the General Assembly.

Act of Incorporation, Minutes, 1799, p. 173.

[The Act of Incorporation provides that the General Assembly may at their discretion, as often as they shall hold their sessions in the State of Pennsylvania, change one-third in such manner as to the General Assembly shall seem proper:]

1. That when this subject is called up annually, a vote shall first be taken whether for the current year the Assembly will or will not make any election of members in the Board of Trustees.

2. If an election be determined on, the day on which it shall take place shall be specified, and shall not be within less than two days of the time at which such election shall be decided on.

3. When the day of election arrives, the Assembly shall ascertain what vacancies in the number of the eighteen trustees incorporated, have taken place, by death or otherwise, and shall first proceed to choose other members in their places. When this is accomplished, they shall proceed to the trial whether they will elect any, and if any, how many of that third of the number of the trustees which by law they are permitted to change, in the following manner, viz.—The list of the trustees shall be taken, and a vote be had for a person to fill the place of him who is first on the list. In voting for a person to fill said place, the vote may be given either for the person who has before filled it, or for any other person. If the majority of votes shall be given for the person who has before

filled it, he shall continue in office. If the majority of votes shall be given for another person, this person is a trustee, duly chosen in place of the former. In the same form the Assembly shall proceed with the list, till they have either changed one third of the trustees (always including in the third those who have been elected by the sitting Assembly to supply the places become vacant by death or otherwise) or by going through the list, shall determine that no farther alteration shall be made.—*Minutes*, 1801, p. 217.

Unemployed Ministers.

[It is enjoined on all Presbyteries to report] “the names and localities of their vacant churches and unemployed ministers, to the Executive Committee of the Board of Missions, who are hereby appointed and authorized to act as a Committee of Supplies for the whole Church, by and with the concurrence of the Presbyteries.”—*Minutes*, 1842, p. 21.

The Standards.—The Adopting Act.

“The committee brought in an overture upon the affair of the confession, which, after long debating upon it, was agreed upon *in hæc verba*:

Although the Synod do not claim or pretend to any authority of imposing our faith upon other men’s consciences, but do profess our just dissatisfaction with, and abhorrence of such impositions, and do utterly disclaim all legislative power and authority in the Church, being willing to receive one another as Christ has received us to the glory of God, and admit to fellowship in sacred ordinances, all such as we have grounds to believe Christ will at last admit to the kingdom of heaven, yet we are undoubtedly obliged to take care that the faith once delivered to the saints be kept pure and uncorrupt among us, and so handed down to our posterity. And do therefore agree that all the ministers of this Synod, or that shall hereafter be admitted into this Synod, shall declare their agreement in, and approbation of, the Confession of Faith,

with the Larger and Shorter Catechisms of the Assembly of Divines at Westminster, as being in all the essential and necessary articles, good forms of sound words and systems of Christian doctrine, and do also adopt the said Confession and Catechisms as the confession of our faith. And we do also agree, that all the Presbyteries within our bounds shall always take care not to admit any candidate of the ministry into the exercise of the sacred function but what declares his agreement in opinion with all the essential and necessary articles of said Confession, either by subscribing the said Confession of Faith and Catechisms, or by a verbal declaration of their assent thereto, as such minister or candidate shall think best. And in case any minister of this Synod, or any candidate for the ministry, shall have any scruple with respect to any article or articles of said Confession or Catechisms, he shall at the time of his making said declaration declare his sentiments to the Presbytery or Synod, who shall, notwithstanding, admit him to the exercise of the ministry within our bounds, and to ministerial communion, if the Synod or Presbytery shall judge his scruple or mistake to be only about articles not essential and necessary in doctrine, worship, or government. But if the Synod or Presbytery shall judge such ministers or candidates erroneous in essential and necessary articles of faith, the Synod or Presbytery shall declare them incapable of communion with them. And the Synod do solemnly agree, that none of us will traduce or use any opprobrious terms of those that differ from us in these extra-essential and not necessary points of doctrine, but treat them with the same friendship, kindness, and brotherly love, as if they had not differed from us in such sentiments.

All the ministers of this Synod now present, except one that declared himself not prepared, viz. Masters Jedediah Andrews, Thomas Craighead, John Thomson, James Anderson, John Pierson, Samuel Gelston, Joseph Houston, Gilbert Tennent, Adam Boyd, Jonathan Dickinson, John Bradner, Alexander Hutchinson, Thomas Evans, Hugh Stevenson, William Ten-

ment, Hugh Conn, George Gillespie, and John Willson, after proposing all the scruples that any of them had to make against any articles and expressions in the Confession of Faith and Larger and Shorter Catechisms of the Assembly of Divines at Westminster, have unanimously agreed in the solution of those scruples, and in declaring the said Confession and Catechisms to be the confession of their faith, excepting only some clauses in the twentieth and twenty-third chapters, concerning which clauses the Synod do unanimously declare, that they do not receive those articles in any such sense as to suppose the civil magistrate hath a controlling power over Synods with respect to the exercise of their ministerial authority; or power to persecute any for their religion, or in any sense contrary to the Protestant succession to the throne of Great Britain.

The Synod observing that unanimity, peace, and unity, which appeared in all their consultations and determinations relating to the affair of the Confession, did unanimously agree in giving thanks to God in solemn prayer and praises."—*Records*, 1729, pp. 92, 3.

The Plan of Union between the Synods of New York and Philadelphia.

"The plan of union agreed upon between the Synods of New York and Philadelphia, at their meeting at Philadelphia, May 29th, 1758.

The Synods of New York and Philadelphia, taking into serious consideration the present divided state of the Presbyterian Church in this land, and being deeply sensible, that the division of the Church tends to weaken its interests, to dishonour religion, and consequently its glorious author; to render government and discipline ineffectual, and finally to dissolve its very frame; and being desirous to pursue such measures as may most tend to the glory of God and the establishment and edification of his people, do judge it to be our indispensable duty to study the things that make for peace, and to endeavour the healing of that breach which has for some time subsisted amongst us,

that so its hurtful consequences may not extend to posterity; that all occasion of reproach upon our society may be removed, and that we may carry on the great designs of religion to better advantage than we can do in a divided state; and since both Synods continue to profess the same principles of faith, and adhere to the same form of worship, government, and discipline, there is the greater reason to endeavour the compromising those differences which were agitated many years ago with too great warmth and animosity, and unite in one body.

For which end, and that no jealousies or grounds of alienation may remain, and also to prevent future breaches of like nature, we agree to unite and do unite in one body, under the name of the Synod of New York and Philadelphia, on the following plan.

I. Both Synods having always approved and received the Westminster Confession of Faith, and Larger and Shorter Catechisms, as an orthodox and excellent system of Christian doctrine, founded on the word of God, we do still receive the same as the confession of our faith, and also adhere to the plan of worship, government, and discipline, contained in the Westminster Directory, strictly enjoining it on all our members and probationers for the ministry, that they preach and teach according to the form of sound words in said Confession and Catechisms, and avoid and oppose all errors contrary thereto.

II. That when any matter is determined by a major vote, every member shall either actively concur with, or passively submit to such determination; or, if his conscience permit him to do neither, he shall, after sufficient liberty modestly to reason and remonstrate, peaceably withdraw from our communion, without attempting to make any schism. Provided always, that this shall be understood to extend only to such determinations as the body shall judge indispensable in doctrine or Presbyterian government.

III. That any member or members, for the exoneration of his or their conscience before God, have a right to protest against any act or procedure of our

highest judicature, because there is no further appeal to another for redress; and to require that such protestation be recorded in their minutes. And as such a protest is a solemn appeal from the bar of said judicature, no member is liable to prosecution on the account of his protesting. Provided always, that it shall be deemed irregular and unlawful, to enter a protestation against any member or members, or to protest facts or accusations instead of proving them, unless a fair trial be refused, even by the highest judicature. And it is agreed, that protestations are only to be entered against the public acts, judgments, or determinations of the judicature with which the protester's conscience is offended.

IV. As the protestation entered in the Synod of Philadelphia, *Ann. Dom.* 1741, has been apprehended to have been approved and received by an act of said Synod, and on that account was judged a sufficient obstacle to an union; the said Synod declare, that they never judicially adopted the said protestation, nor do account it a Synodical act, but that it is to be considered as the act of those only who subscribed it; and therefore cannot in its nature be a valid objection to the union of the two Synods, especially considering that a very great majority of both Synods have become members, since the said protestation was entered.

V. That it shall be esteemed and treated as a censurable evil, to accuse any member of heterodoxy, insufficiency, or immorality, in a calumniating manner, or otherwise than by private brotherly admonition, or by a regular process according to our known rules of judicial trial in cases of scandal. And it shall be considered in the same view, if any Presbytery appoint supplies within the bounds of another Presbytery without their concurrence; or if any member officiate in another's congregation, without asking and obtaining his consent, or the session's, in case the minister be absent; yet it shall be esteemed unbrotherly for any one, in ordinary circumstances, to refuse his consent to a regular member when it is requested.

VI. That no Presbytery shall license or ordain to the work of the ministry, any candidate, until he give them competent satisfaction as to his learning, and experimental acquaintance with religion, and skill in divinity and cases of conscience; and declare his acceptance of the Westminster Confession and Catechisms as the confession of his faith, and promise subjection to the Presbyterian plan of government in the Westminster Directory.

VII. The Synods declare it is their earnest desire, that a complete union may be obtained as soon as possible, and agree that the united Synod shall model the several Presbyteries in such manner as shall appear to them most expedient. Provided nevertheless, that Presbyteries, where an alteration does not appear to be for edification, continue in their present form. As to divided congregations it is agreed, that such as have settled ministers on both sides be allowed to continue as they are; that where those of one side have a settled minister, the other being vacant may join with the settled minister, if a majority choose so to do; that when both sides are vacant they shall be at liberty to unite together.

VIII. As the late religious appearances occasioned much speculation and debate, the members of the New York Synod, in order to prevent any misapprehensions, declare their adherence to their former sentiments in favour of them, that a blessed work of God's Holy Spirit in the conversion of numbers was then carried on; and for the satisfaction of all concerned, this united Synod agree in declaring, that as all mankind are naturally dead in trespasses and sins, an entire change of heart and life is necessary to make them meet for the service and enjoyment of God; that such a change can only be effected by the powerful operations of the Divine Spirit; that when sinners are made sensible of their lost condition and absolute inability to recover themselves, are enlightened in the knowledge of Christ and convinced of his ability and willingness to save, and upon gospel encouragements do choose him for their Saviour, and

renouncing their own righteousness in point of merit, depend upon his imputed righteousness for their justification before God, and on his wisdom and strength for guidance and support; when upon these apprehensions and exercises their souls are comforted, notwithstanding all their past guilt, and rejoice in God through Jesus Christ; when they hate and bewail their sins of heart and life, delight in the laws of God without exception, reverently and diligently attend his ordinances, become humble and self denied, and make it the business of their lives to please and glorify God and to do good to their fellow men; this is to be acknowledged as a gracious work of God, even though it should be attended with unusual bodily commotions or some more exceptionable circumstances, by means of infirmity, temptations, or remaining corruptions; and wherever religious appearances are attended with the good effects above mentioned, we desire to rejoice in and thank God for them.

But on the other hand, when persons seeming to be under a religious concern, imagine that they have visions of the human nature of Jesus Christ, or hear voices, or see external lights, or have fainting and convulsion-like fits, and on the account of these judge themselves to be truly converted; though they have not the scriptural characters of a work of God above described, we believe such persons are under a dangerous delusion. And we testify our utter disapprobation of such a delusion, wherever it attends any religious appearances, in any church or time.

Now as both Synods are agreed in their sentiments concerning the nature of a work of grace, and declare their desire and purpose to promote it, different judgments respecting particular matters of fact, ought not to prevent their union; especially as many of the present members have entered into the ministry since the time of the aforesaid religious appearances.

Upon the whole, as the design of our union is the advancement of the Mediator's kingdom; and as the wise and faithful discharge of the ministerial function is the principal appointed mean for that glorious end,

we judge, that this is a proper occasion to manifest our sincere intention, unitedly to exert ourselves to fulfil the ministry we have received of the Lord Jesus. Accordingly, we unanimously declare our serious and fixed resolution, by divine aid, to take heed to ourselves that our hearts be upright, our discourse edifying, and our lives exemplary for purity and godliness; to take heed to our doctrine, that it be not only orthodox but evangelical and spiritual, tending to awaken the secure to a suitable concern for their salvation, and to instruct and encourage sincere Christians; thus commending ourselves to every man's conscience in the sight of God; to cultivate peace and harmony among ourselves, and strengthen each other's hands in promoting the knowledge of divine truth, and diffusing the savour of piety among our people.

Finally, we earnestly recommend it to all under our care, that instead of indulging a contentious disposition, they would love each other with a pure heart fervently, as brethren who profess subjection to the same Lord, adhere to the same faith, worship, and government, and entertain the same hope of glory. And we desire that they would improve the present union for their mutual edification, combine to strengthen the common interests of religion, and go hand in hand in the path of life; which we pray the God of all grace would please to effect, for Christ's sake. Amen.

The Synod agree, that all former differences and disputes are laid aside and buried; and that no future inquiry or vote shall be proposed in this Synod concerning these things; but if any member seek a Synodical inquiry, or declaration about any of the matters of our past differences, it shall be deemed a censurable breach of this agreement, and be refused, and he be rebuked accordingly.—*Records*, 1755, p. 286:

The importance and binding character of the Confession of Faith.

“The Committee to which was referred the petition of certain individuals, members of the congregation

in Tammany street, Baltimore, reported, and their report being read and amended, was adopted, and is as follows, viz.

That while it is unquestionably the privilege of individuals and members of the Presbyterian Church, when they think they see the peace, purity, or prosperity of the Church in danger, either from an individual, or from an inferior court, to apply to the General Assembly, in an orderly manner, for redress or direction; yet, in such cases, unless they mean to come forward as prosecutors, with the necessary testimony, they should most carefully avoid mentioning names connected with charges of the most serious kind, in support of which no evidence has been orderly adduced, nor have the individuals thus accused, had an opportunity of replying to those charges, or of making any defence of themselves:—The Assembly, therefore, cannot witness a procedure of this kind, without expressing their disapprobation of it. But, inasmuch as this step may have arisen from inadvertency, or a want of information respecting the course proper to be taken in such a case; and as the petitioners declared that it was not their design or intention to exhibit charges against the persons whose names were mentioned in the petition, but that their only object was to bring the subject of this petition before the Assembly, that they might obtain an expression of the sentiments of the Assembly on the importance and binding character of the Confession of Faith, as recognized by the Presbyterian Church, the committee beg leave to report the following, viz.

1. That, in the opinion of this Assembly, confessions of faith, containing formulas of doctrine, and rules for conducting the discipline and worship proper to be maintained in the house of God, are not only recognized as necessary and expedient, but as the character of human nature is continually aiming at innovation, absolutely requisite to the settled peace of the Church, and to the happy and orderly existence of Christian communion. Within the limits of Christendom, few are to be found in the attitude of avowed

hostility to Christianity. The name of Christian is claimed by all, and all are ready to profess their belief in the Holy Scriptures; too many reserving to themselves the right of putting upon them what construction they please. In such a state of things, without the aid of Confessions, Christian fellowship can exist only in a very limited degree, and the disorder of the Corinthian church, condemned by the Apostle, would be realized: *'I am of Paul, and I of Apollos.'*

2. That though the Confession of Faith, and standards of our Church, are of no original authority, independent of the Scriptures, yet we regard them as a summary of those divine truths which are diffused throughout the sacred volume.

They, as a system of doctrines, therefore, cannot be abandoned, in our opinion, without an abandonment of the word of God. They form a bond of fellowship in the faith of the gospel, and the General Assembly cannot but believe the precious immortals under their care, to be more safe in receiving the truth of God's holy word, as exhibited in the standards of our Church, than in being subject to the guidance of any instructor, whoever he may be, who may have confidence enough to set up his own opinions in opposition to the system of doctrines, which men of sound learning, full of the Holy Ghost, and mighty in the Scriptures, have devised from the oracles of the living God. It should never be forgotten, that the Church is solemnly cautioned against the danger of being carried about by every wind of doctrine.

3. This Confession of Faith, adopted by our Church, contains a system of doctrines professedly believed by the people and the pastors under the care of the General Assembly, nor can it be traduced by any in the communion of our Church, without subjecting the erring parties to that salutary discipline, which hath for its object the maintenance of the peace and purity of the Church, under the government of her great Master.

Finally, the General Assembly recommend to all who are under their care, steadfastly to resist every

temptation, however presented, which may have for its object the relaxation of those bonds of Christian fellowship, which have hitherto been so eminently blessed of God, for the order, edification, and extension of the Presbyterian Church, and conclude with the words of the holy apostle:—*‘Now we beseech you, brethren, by the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you, but that ye be perfectly joined together in the same mind and in the same judgment.’*”
—*Minutes*, 1824, p. 211.

“The Committee appointed on an overture respecting the consistency of admitting into this Church ministers who manifest a decided hostility to ecclesiastical creeds, confessions, and formularies, made the following report, which was adopted, viz.

1. That the Constitution, as is well known, expressly requires of all candidates for admission, a solemn declaration that they sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures.

2. That the last Assembly, in a report of their committee, to be seen on the minutes, have so explicitly and fully declared the sentiments of this Church in regard to her ecclesiastical standards, and all within her communion who may traduce them, that no further expression of our views on this subject is deemed necessary.”—*Minutes*, 1825, p. 274.

“The Committee to whom was referred Overture No. 5, viz. ‘On subscribing the Confession of Faith,’ made the following report, which was unanimously adopted, viz.

That in their judgment any further legislation on this subject, by the Assembly, would be unnecessary and inexpedient. They consider the formula contained in our Book, and the rule adopted by the Assembly in 1830, viz. ‘that in their judgment every

licentiate coming by certificate to any Presbytery in connexion with the General Assembly, from any portion of a corresponding ecclesiastical body, should be required to answer in the affirmative, the constitutional questions directed by chapter fourteenth of our Form of Government, to be put to our candidates before they are licensed; and that in like manner every ordained minister of the gospel coming from any church in correspondence with the General Assembly by certificate of dismissal and recommendation, should be required to answer affirmatively the first seven questions directed by chapter fifteenth of our Form of Government, to be put to one of our own licentiates, when about to be ordained to the sacred office,' sufficiently explicit; and would earnestly recommend these to the attention of the Presbyteries under the care of the Assembly.

As to the question submitted to them, 'whether the Catechisms, Larger and Shorter, are to be considered as a part of the *Standards* of our Church, and are comprehended in the words, Confession of Faith of this Church?' the committee feel no hesitation in answering that question in the affirmative. It does not appear, that any doubts on that subject have ever been entertained, until very recently. The committee find in the minutes of the old Synod, at the union of the Synod of Philadelphia with the Synod of New York, in 1758, that the first article of the Plan of Union contains the following words, viz. 'Both Synods, having always approved and received the Westminster Confession of Faith and Larger and Shorter Catechisms as an orthodox and excellent system of Christian doctrine founded on the word of God, we do still receive the same as the Confession of our Faith; and also the plan of worship, government, and discipline, contained in the Westminster Directory, strictly enjoining it on all our members, and probationers for the ministry, that they preach and teach according to the form of sound words in said Confession, and Catechisms, and avoid and oppose all error contrary thereto.' In the reci-

tal of the manner in which a Presbytery was received by the Synod of New York, 1763, we have the following record—‘It was agreed to grant their request, provided that they agree to adopt our Westminster Confession of Faith and Catechisms, and engage to observe the Directory as a plan of worship, discipline, and government, according to the agreement of this Synod.’

In 1788, in the adopting act of the Confession, the Catechisms are distinctly mentioned as a part of our standards. ‘They also took into consideration the Westminster Larger and Shorter Catechisms, and having made a small amendment of the Larger, did approve, and do hereby approve and ratify the said Catechisms as now agreed on, as the Catechisms of the Presbyterian Church in the said United States. And the Synod order that the said Directory and Catechisms be printed and bound up in the same volume with the Confession of Faith and the Form of Government and Discipline; and that the whole be considered as the standard of our doctrine, government, discipline, and worship, agreeably to the resolutions of the Synod at their present sessions’—one of which resolutions was, ‘that the Form of Government and Discipline and the Confession of Faith, as now ratified, is to continue to be our Constitution and the Confession of our Faith, and practice unalterably, unless two-thirds of the Presbyteries under the care of the General Assembly shall propose alterations or amendments, and such alterations or amendments shall be agreed to and enacted by the General Assembly.’ Accordingly, in the Directory for the administration of baptism, the Larger and Shorter Catechisms of the Westminster Assembly, are mentioned in connexion with the Confession of Faith, as adopted by this Church, and are to be recommended as containing a summary of the principles of our holy religion, taught in the Scriptures of the Old and New Testament.

The Committee therefore recommend to the Assembly the adoption of the following resolutions, viz.

1. *Resolved* by the Assembly, That in receiving

and adopting the Confession of Faith, as containing the system of doctrine taught in the Holy Scriptures, the Larger and Shorter Catechisms of the Westminster Assembly of Divines are included, and do constitute an integral part of the standards of this Church.

2. *Resolved*, That the use of the Catechisms in the religious instruction of the young and of the children under the care of the Church, be affectionately and earnestly recommended to the sessions in connexion with the General Assembly, as the most effectual means, under God, of preserving the purity, peace, and unity of our Church."—*Minutes*, 1832, p. 331.

The Board of Missions.

[The Assembly, at its first meeting, took into consideration the state of the frontier settlements, and sent missionaries to them to form congregations, ordain elders, administer the sacraments, and direct them to the best measures for obtaining the gospel ministry regularly among them. The general management of the missionary business was committed in 1802, to a Standing Committee, and in 1816, the style was changed for that of "the Board of Missions, acting under the authority of the General Assembly of the Presbyterian Church in the United States of America."

In 1805, the prospects of the school established among the Cherokees in Tennessee, by the Rev. Gideon Blackburn, were highly flattering. The school among the Catawbas established by the Synod of the Carolinas, was still continued, and several young men of different tribes had received, and were then receiving their education under the care of the Synod of Pittsburgh.]

The Committee to whom was recommitted the Report on Overture No. 9, made the following report, which was adopted, viz.

In answer to the questions propounded by the Presbyteries of Union and French Broad, the Assembly would say, that though they do not recognize in the

Board of Missions the authority to sit in judgment upon the orthodoxy or morality of any minister who is in good standing in his own Presbytery, yet from the necessity of the case, they must exercise their own sound discretion upon the expediency or in expediency of appointing, or withholding an appointment from any applicant, holding themselves amenable to the General Assembly for all their official acts.—*Minutes*, 1830, p. 16.

The Board of Education.

[The provision of a fund for the more complete instruction of candidates for the ministry, previous to their licensure, was declared, in 1800, to be worthy of consideration. The want of this having been a subject of general inconvenience, it deserves consideration whether it would not be both easy and practicable to appoint a number of professors of theology, (perhaps one in each Synod,) to whom the candidates might resort as a matter of choice, though not of necessity, which professors might immediately be provided with a suitable library, the property of the corporation, and who might receive a small salary, to be augmented as their labours increased, and the funds are extended. It will be a most desirable extension of this plan, if the funds can be rendered adequate, to furnish partly, or wholly, the means of subsistence to those candidates who may need it during their attendance on the professors.]

In 1819, it was *Resolved*, “Whereas, the General Assembly forms the bond of union of the Presbyterian Church in the United States, and affords the acknowledged means of combining the intelligence and concentrating the efforts of that denomination; and whereas, the present state of our country most loudly calls for increasing energy and zeal in training young men for the ministry of the gospel, and it has become necessary to originate new and more efficient measures for carrying on this great and most important work, to systematize and unite the efforts that are now making within our bounds; and whereas, it is

desirable that a fund should be established under the direction of the General Assembly, which, among other objects, might afford assistance, in educating indigent youth, to those Presbyteries and parts of the Church that may require the same; therefore, *Resolved*, That the General Assembly establish a general Board of Education.”—*Minutes*, 1819, pp. 712, 714.

The Board of Foreign Missions.

[In 1816 a committee was appointed to correspond with the Dutch and the Associate Reformed Churches and other churches holding the same creed, and ascertain whether those churches will unite with us in the formation of a Society for Foreign Missions, and if possible report to the next General Assembly a plan of a society to be established for this purpose. In 1817 the three denominations united in forming the United Foreign Missionary Society, which it was merged in 1827 in the American Board of Foreign Missions, with the Assembly’s consent.]

The Assembly in 1835, “*Resolved*, 1. That it is the solemn conviction of this General Assembly, that the Presbyterian Church owes it as a sacred duty to her glorified Head, to yield a far more exemplary obedience, and that in her distinctive character as a church, to the command which he gave at his ascension into heaven: “Go ye into all the world and preach the gospel to every creature.” It is believed to be among the causes of the frowns of the great Head of the Church, which are now resting on our beloved Zion, in the declension of vital piety and the disorders and divisions that distract us, that we have done so little, comparatively nothing, in our distinctive character as a church of Christ, to send the gospel to the heathen, the Jews and the Mahomedans. It is regarded as of vital importance to the welfare of our Church that Foreign as well as Domestic Missions should be more zealously prosecuted and more liberally patronized; and that as a nucleus of Foreign Missionary effort and operation, the Western Foreign Missionary Society should receive the coun-

tenance, as it appears to us to merit the confidence of those who cherish an attachment to the doctrines and order of the Church to which we belong.

2. *Resolved*, That a Committee be appointed to confer with the Synod of Pittsburgh on the subject of a transfer of a supervision of the Western Foreign Missionary Society now under the direction of that Synod, to ascertain the terms on which such transfer can be made; to devise and digest a plan for conducting Foreign Missions under the direction of the General Assembly of the Presbyterian Church, and report the whole to the next Assembly."—*Minutes*, 1835, p. 31.

[The General Assembly of 1836 did not carry into effect the stipulation touching the receiving that Society under their care; but in 1837 it was resolved that the General Assembly will superintend and conduct by its own proper authority, the work of Foreign Missions of the Presbyterian Church, by a Board appointed for that purpose and directly amenable to the Assembly.]

The Board of Publication.

In 1838, the Assembly resolved, that "whereas Sabbath School and Tract publications cannot fail to exert a very great influence upon the growth of our Church and country, and whereas it is the duty of the highest judicatory of the Church to exercise such a supervision over this subject as will secure the diffusion of sound and scriptural principles, for the promotion of charity, truth and holiness through all the churches under our care; the Assembly will superintend and conduct by its own proper authority the work of furnishing the church under its care with suitable Tract and Sabbath School publications, by a Board appointed for that purpose and directly amenable to the Assembly."

[In 1839, the name of the Board for the Publication of Tracts and Sabbath School Books was changed to the name of "the Presbyterian Board of Publication," and its constitution so altered as to require the Board to publish approved works in support of the great

principles of the Reformation as exhibited in the doctrines and order of the Presbyterian Church and whatever else the Assembly may direct.]

Theological Seminaries.

[In 1809 an overture for the establishment of a theological school was presented from Philadelphia Presbytery, and was read and referred to a committee with President Dwight for Chairman. Three modes of compassing this desirable object were submitted to the Presbyteries:

I. To establish one great school in some convenient and central place.

II. To establish two schools in such places as may best accommodate the northern and southern divisions of the Church.

III. To leave each Synod to establish a school of its own, and to direct the mode of forming it and the place of its location.

Ten Presbyteries reported in favour of the first mode, ten in favour of the third, one in favour of the second; six against the expediency of establishing any school, and six sent no report.]

The Seminary Established.

“The committee appointed farther to consider the subject of Theological Schools, reported, and the report being read and amended, was adopted, and is as follows, viz.

“That after maturely deliberating on the subject committed to them, they submit to the Assembly the following results:

1. It is evident that not only a majority of the Presbyteries, which have reported on this subject, but also a majority of all the Presbyteries under the care of this Assembly, have expressed a decided opinion in favour of the establishment of a Theological School or Schools in our Church.

2. It appears to the committee, that although according to the statement already reported to the Assembly, there is an equal number of Presbyteries in

favour of the first plan, which contemplates a single school for the whole Church; and in favour of the third plan, which contemplates the erection of a school in each Synod; yet as several of the objections made to the first plan are founded entirely on misconception, and will be completely obviated by developing the details of that plan, it seems fairly to follow, that there is a greater amount of Presbyterian suffrage in favour of a single school, than of any other plan.

3. Under these circumstances the committee are of opinion, that as much light has been obtained from the reports of the Presbyteries on this subject, as would be likely to result from a renewal of the reference, that no advantage will probably arise from farther delay in this important concern; but, on the contrary, much serious inconvenience and evil; that the present Assembly is bound to attempt to carry into execution some one of the plans proposed, and that the first plan appearing to have on the whole, the greatest share of public sentiment in its favour, ought of course to be adopted.

4. Your committee therefore recommend, that the present General Assembly declare its approbation and adoption of this plan, and immediately commence a course of measures for carrying it into execution, as promptly and extensively as possible; and for this purpose they recommend to the Assembly the adoption of the following resolutions.

1. *Resolved*, That the state of our churches, the loud and affecting calls of destitute frontier settlements, and the laudable exertions of various Christian denominations around us, all demand that the collected wisdom, piety, and zeal of the Presbyterian Church be, without delay, called into action, for furnishing the Church with a large supply of able and faithful ministers.

2. That the General Assembly will, in the name of the great Head of the Church, immediately attempt to establish a seminary for securing to candidates for the ministry, more extensive and efficient theological instruction than they have heretofore enjoyed. The

local situation of this seminary is hereafter to be determined.

3. That in this seminary when completely organized, there shall be at least three Professors, who shall be elected by, and hold their offices during the pleasure of the General Assembly, and who shall give a regular course of instruction in Divinity, Oriental and Biblical Literature, and in Ecclesiastical History and Church Government, and on such other subjects as may be deemed necessary. It being however understood, that until sufficient funds can be obtained for the complete organization and support of the proposed seminary, a smaller number of Professors than three may be appointed to commence the system of instruction.

4. That exertion may be made to provide such an amount of funds for this seminary, as will enable its conductors to afford gratuitous instruction, and when it is necessary, gratuitous support, to all such students as may not themselves possess adequate pecuniary means.

5. That the Rev. Drs. Green, Woodhull, Romeyn, and Miller, the Rev. Messrs. Archibald Alexander, James Richards, and Amzi Armstrong, be a committee to digest and prepare a plan of a Theological Seminary, embracing in detail the fundamental principles of the institution, together with regulations for guiding the conduct of the instructors and the students, and prescribing the best mode of visiting, of controlling, and supporting the whole system. This plan is to be reported to the next General Assembly.

6. That the Rev. Messrs. Jedediah Chapman, Jonas Coe, William Morrison, James Carnahan, and Mr. Isaac Hutton, of the Synod of Albany; Rev. Drs. Saml. Miller, Philip Milledoler, John B. Romeyn, and Aaron Woolworth, the Rev. Messrs. James Richards, David Comfort, and Isaac Vandoren, and Col. Henry Rutgers, of the Synod of New York and New Jersey; Rev. Drs. Ashbel Green, John McKnight, and James Muir, the Rev. Messrs. Nathaniel Irwin, John Glendy, Archibald Alexander, John E. Latta, John B.

Slemmons, John B. Patterson, and James Inglis, and Mr. Robert Ralston, of the Synod of Philadelphia; the Rev. John D. Blair, William Williamson, Samuel Houston, Samuel Doake, and Benjamin Grigsby, of the Synod of Virginia; the Rev. Samuel Ralston, James Guthrie, William Speer, and James Hughes, of the Synod of Pittsburgh; the Rev. Robert G. Wilson, James Blythe, Archibald Cameron, and Joshua L. Wilson, of the Synod of Kentucky; the Rev. Drs. James Hall, and Henry Kollock, and the Rev. Messrs. Malcom McNair, James McIlhenny, and Andrew Flinn, of the Synod of the Carolinas, be, and they hereby are, appointed agents, to solicit donations in the course of the current year, within the bounds of their respective Synods, for the establishment and support of the proposed seminary; and if any of said agents should be unable or unwilling to act in this case, it will be his or their duty to inform the Moderator of his or their Synod, for the time being, who is hereby authorized, if he think proper, to appoint a substitute or substitutes, as the case may require. These agents are to report to the next General Assembly.

Resolved, That the members of this Assembly generally, and all the clergy of our denomination within our bounds, do aid the exertions of those who shall go on this business.

7. That, as filling the Church with a learned and able ministry, without a corresponding portion of real piety, would be a curse to the world, and an offence to God and his people, so the General Assembly think it their duty to state that, in establishing a seminary for training up ministers, it is their earnest desire to guard, as far as possible, against so great an evil; and they do hereby solemnly pledge themselves to the churches under their care, that in forming and carrying into execution the plan of the proposed seminary, it will be their endeavour to make it, under the blessing of God, a nursery of vital piety, as well as of sound theological learning, and to train up persons for the ministry who shall be lovers as well as defend-

ers of the truth as it is in Jesus, friends of revivals of religion, and a blessing to the Church of God.

8. That as the constitution of our Church guarantees to every Presbytery the right of judging of its own candidates for licensure and ordination, so the Assembly think it proper to state most explicitly, that every Presbytery and Synod, will, of course, be left at full liberty to countenance the proposed plan, or not, at pleasure; and to send their students to the projected seminary, or keep them as heretofore, within their own bounds as they think most conducive to the prosperity of the Church.

9. That the Professors in the Seminary shall not in any case be considered as having a right to license candidates to preach the gospel; but that all such candidates shall be remitted to their respective Presbyteries, to be examined and licensed as heretofore.

10. *Resolved* finally, That Dr. Samuel Miller and Rev. James Richards, be a committee to prepare a draught of an address from this Assembly to the churches under our care, calling their attention to the subject of a Theological School, and earnestly soliciting their patronage and support in the execution of the plan now proposed."—*Minutes*, 1810, p. 453-5.

[In 1812, Princeton was made the site of the Seminary, leaving the subject open as to its permanency, agreeably to the stipulations jointly agreed on by the Committees of the last Assembly and the Trustees of the College of New Jersey.]

The agreement with the Trustees of the College.

"The following plan of an agreement between a committee appointed by the last General Assembly, and a committee of the Trustees of the College of New Jersey, for the location and establishment of a Theological Seminary, was submitted to this Assembly, and was adopted, and is as follows, viz.

1. That the Theological Seminary, about to be erected by the General Assembly, shall have its location in Princeton or its immediate vicinity, in the

state of New Jersey; and in such connection with the College of New Jersey, as is implied in the following articles.

2. That the Trustees of the College engage, that the General Assembly and directors to be by them appointed, shall carry into full and complete effect, without any interposition, interference, let or hindrance from them the Trustees or their successors, the whole plan of a Theological Seminary as laid down and agreed upon at a meeting of the Assembly in the present year of our Lord 1811. That is to say, that the said General Assembly shall appoint their directors, choose their professors, carry on their instruction, govern their pupils, and manage their funds as to them shall appear best.

3. That the Trustees of the College engage to the General Assembly freely to allow them to erect, at their own expense, on the grounds belonging to the College, such buildings for the accommodation of pupils and professors as they may judge proper, and which may not interfere with the buildings and their conveniences already erected by the Trustees; and to prevent all future dissatisfaction on this subject, that it be agreed that when the General Assembly or the directors of the Theological Seminary may wish to erect any building on the College grounds, and there shall be any discordance of views relative to the same, then the General Assembly or the directors aforesaid, shall appoint three men, and the Board of Trustees the same number, and these six shall choose one man not belonging to either body; and these seven men by a majority of votes, shall determine whether said building can be properly erected on said grounds, and if so, what shall be the site and size of the same; and that this determination shall be conclusive and final with both parties. Provided nothing contained in this article shall be understood to prohibit the General Assembly, or the directors of the Theological Seminary, from making use of any other ground within the limits prescribed in article first for the purposes aforesaid.

4. That the Trustees engage to the General Assembly to grant them every practical accommodation in the buildings now existing, not only till others may be erected by the Assembly, but afterwards, so long as the same may be desirable.

5. That the Trustees engage to endeavour to receive into the College all the youth whom the Assembly, or the directors by them appointed, may send to it for the purpose of education, subject to such examination at entrance, and to such discipline during their residence in College, as the other pupils of the college are subjected to; the Trustees to receive for the expenses of board, tuition, and room-rent, the same as for others; and giving to the Assembly the assurance that as pupils increase, and the funds of the College will permit, they will reduce as low as possible all the expenses of the pupils under their care.

6. That the Trustees agree to receive and hold, for the use of the Assembly, such sums of money as they may voluntarily choose to deposit in the hands of the Trustees for improvement, so as to incur no inconvenience to such Trustees from the limitation of their charter; and that such sums of money be accordingly invested in such funds as the Assembly shall direct; that the Trustees pay the interest thereof when received, to the order of the Assembly; keep it wholly separate from the funds of the college, and pay over or transfer to the order of the Assembly, the principal sum whenever they shall so direct.

7. That the Trustees grant to the professors and pupils of the Theological Seminary the free use of the college library, subject to such rules as may be adopted for the preservation of the books, and the good order of the same.

8. That if the General Assembly shall wish to establish at Princeton an elementary school, for the instruction of youth in such learning as usually precedes their entrance into College, the Trustees agree to aid them in this undertaking, by every accommodation, and all the patronage in their power; so, however, as not to engage to make drafts on the funds of the College for that purpose.

9. That, if at any time, the General Assembly shall find that the connection between their seminary and the college does not conduce sufficiently to the great purposes contemplated to be answered by the said seminary, they shall be at liberty to remove it to some other place. And the Trustees engage that, while the Theological Seminary shall remain at Princeton, no professorship of theology shall be established in the College.

10. That, whereas the Trustees of the College have in their hands a fund, the annual income of which is nearly eighteen hundred dollars, appropriated by the donors to the education of poor and pious youth for the gospel ministry of the Presbyterian denomination; the Trustees give an assurance to the Assembly, that if the first of these articles take effect, they will pay a high regard to the recommendation of the Assembly, or of their directors, as to the youth who shall receive the benefit of this fund.

ASHBEL GREEN,
RICHARD STOCKTON,
JOHN WOODHULL,

Committee of the Trustees of New Jersey College.

ARCHIBALD ALEXANDER,
JACOB J. JANEWAY,
ROBERT RALSTON,
JOHN McDOWELL,

Committee of the General Assembly.

Princeton, June 26, 1811."

Ordered, That the Stated Clerk furnish the Trustees with an attested copy of the above plan of agreement.

The Western Theological Seminary.

The General Assembly in 1825 taking into consideration the numerous and rapidly increasing population in the great valley of the Mississippi, and believing that the interests of the Presbyterian Church imperatively require it, and that the Redeemer's kingdom will be thereby promoted, do resolve that it is expedient forthwith to establish a theological seminary in the West, under the supervision of the General Assembly.

The following persons were appointed Commissioners in regard to the location of the seminary: General Andrew Jackson, of Tennessee, Hon. Benjamin Mills, of Paris, Kentucky, Hon. John Thompson, of Chillicothe, Ohio, and the Rev. Obadiah Jennings and Andrew Wylie of Pennsylvania.

A Board of Directors was also appointed, and they by a vote of 8 to 5, recommended Allegheny Town as the site. The Assembly left it to be decided by the Assembly of 1827, whether the seminary shall be located at Allegheny Town, Walnut Hills, or Charleston, Indiana. Against this postponement, the Rev. Joshua C. Wilson protested because it was virtually setting up the site to the highest bidder and may locate the seminary on the spot which will neither meet the wants or wishes of a majority of the western churches; and because it must prevent the city of Cincinnati from making any proposals for itself, and the churches in the west from making any effort in its favour, though all things considered, it is believed by many to be the most eligible site for a seminary in the western country.

It was decided in 1827 that Allegheny Town should be the site of the Western Theological Seminary.

Admission of Ecclesiastical Bodies into Union.

“A request was brought in from a Presbytery in New York government to the east of North River, desiring to be incorporated with this Synod, and that some members of the Presbyteries of New York and Suffolk, which are contiguous, may be allowed to be joined with them in a Presbyterial capacity. After several members of this body had given full satisfaction concerning their characters, their good standing in the churches, and that it was not from any unbrotherly or unfriendly views, nor from any disaffection to the neighbouring churches that they desired to unite with us, it is agreed to grant their request, provided that they agree to adopt our Westminster Confession of Faith, and Catechisms, and engage to observe the Directory as a plan of worship, discipline,

and government, according to the agreement of this Synod, * * * * and that they be called by the name of Dutchess County Presbytery."—*Records*, 1763, p. 330.

[They complied with the stipulations.]

Case of the Presbytery of South Carolina.

[The Presbytery of South Carolina sent a letter by the Rev. James Caldwell, of Elizabethtown, signifying their desire to unite with this Synod.] "The conditions which we require, said the Synod, are only what we suppose you are already agreed in, viz. that all your ministers acknowledge and adopt as the standard of doctrine, the Westminster Confession of Faith, and Catechisms, and the Directory, as the plan of your worship and discipline."—*Records*, 1770, p. 408.

[No answer was returned.]

Case of the Presbytery of Charleston.

The prayer of the Presbytery of Charleston was granted, "and retaining their name and charter of incorporation, they are hereby taken into connection with the General Assembly; provided, however, that the members of said Presbytery shall have adopted the Confession of Faith and the Constitution of the Presbyterian Church in the United States, and shall also effect a compromise or union with Harmony Presbytery, which transaction shall be subject to the review and control of the Synod of the Carolinas."—*Minutes*, 1811, p. 475.

[The Presbytery of Charleston Union came into connection in 1824.]

Case of the Associate Reformed Church.

"Whereas the Associate Reformed Church and the Presbyterian Church in the United States of America, are one in their Confession of Faith and Form of Government, and whereas this Assembly knows of no reason why these two ecclesiastical bodies should not become visibly one church, as we trust we are one in Christ Jesus to the glory of God; Therefore,

Resolved, That Dr. Green, Dr. Blatchford, Dr.

McDowell, Mr. B. Strong, and Mr. Henry Southard be a Committee to confer on this subject with a similar committee from the Associate Reformed Synod, now in session in this city, if they shall see fit to appoint one, and that said Committee report the result of their conference as soon as convenient."

The following plan was ratified by the Synod and the Assembly:

1. The different Presbyteries of the Associate Reformed Church shall either retain their separate organization or shall be amalgamated with those of the General Assembly, at their own choice. In the former case they shall have as full powers and privileges as any other Presbyteries in the united body and shall attach themselves to the Synods most convenient.

2. The Theological Seminary at Princeton, under the care of the General Assembly, and the Theological Seminary of the Associate Reformed Church, shall be consolidated.

3. Whereas moneys to the amount of between nine and ten thousand dollars, which were given to the General Synod of the Associate Reformed Church, and of which the interest or product only was to be applied to the support of a theological seminary, were necessarily used in the current expenses thereof; which moneys so expended were assumed by the Synod as its own debt, at an interest of seven per cent.; the united body agree to make a joint effort to repay the same, and will apply the interest accruing thereon to the maintenance of a Professorship of Biblical Literature, in the Seminary at Princeton, analogous to that which now exists in the Associate Reformed Church; and until such professorship shall be established, the said interest or product shall be used for the general purposes of the Seminary.

4. The Theological Library and Funds belonging to the Associate Reformed Church, shall be transferred, and belong to the Seminary at Princeton.—*Minutes*, 1821, pp. 7. 9; 1822, p. 11.

Of the Associate Reformed Synod, only the Pres-

byteries of New York and Philadelphia came into our connection.

Ministers.—Of the right of examining them before reception.

[On the complaint and appeal of the Rev. Thomas Ledlie Birch, against certain proceedings of the Presbytery of Ohio in his case, particularly for their refusing to receive him as a member of their body on the ground of a supposed want of acquaintance with experimental religion,]

“*Resolved*, That no evidence of censurable procedure in the Presbytery of Ohio in the case of Mr. Birch, has appeared to this house, inasmuch as there is a discretionary power necessarily lodged in every Presbytery to judge of the qualifications of those whom they receive, especially with respect to experimental religion.”—*Minutes*, 1801, p. 218.

The right of examination affirmed.

“The Committee appointed to consider the Overture sent up by the Presbytery of Baltimore, respecting the course proper to be pursued by a Presbytery when a minister with a certificate of good standing from a Presbytery which has no longer any existence, applies for admission, but is supposed to be chargeable with some offence, subsequently to the date of that certificate, made the following report, which was adopted, viz.

That after the most attentive consideration of the question presented in said Overture, it appears to them that the proper answer is embraced in the following particulars, viz.

1. It is well known that the Book of Discipline of our Church expressly provides that when a minister shall be dismissed by one Presbytery with a view to his joining another, he shall always be considered as remaining under the jurisdiction of the Presbytery which dismissed him until he actually becomes a member of another. In the case stated in the Overture, however, as the dismissing Presbytery had become extinct, it was physically impossible to act according to the letter of this

rule. In these circumstances every principle of sound interpretation seems to direct that in ordinary cases, the Presbytery into which admission is sought, should receive the applicant; and if he be charged with any offence, conduct the process against him.

2. Nevertheless it is the privilege of every Presbytery to judge of the character and situation of those who apply to be admitted into their own body, and unless they are satisfied to decline receiving the same. A Presbytery, it is true, may make an improper use of this privilege; in which case, the rejected applicant may appeal to the Synod or the General Assembly.

3. When any minister, dismissed in good standing by an extinct Presbytery, is charged with an offence subsequently to the date of his dismissal, the Presbytery to which he applies for admission, not only may, if they see cause, decline receiving him, but if their own situation be such that there is no prospect of their being able to conduct process against him in an impartial and efficient manner, ought to decline admitting him into their body.

4. In this case, ministers dismissed by an extinct Presbytery and not received into any other, are to be considered as under the direction of their proper Synod, and ought to be disposed of as the Synod may order."—*Minutes*, 1825, p. 264.

Right of examination affirmed.

"The Committee appointed by the General Assembly of 1829, to consider and report to the Assembly of 1830, on the manner in which ministers and licentiates are to be received into any of our Presbyteries from ecclesiastical bodies in the United States, which correspond with this General Assembly, made the following report, which was adopted, viz.

That in their judgment every licentiate coming by certificate to any Presbytery in connection with the General Assembly from any portion of a corresponding ecclesiastical body, should be required to answer in the affirmative, the constitutional questions, directed by Chapter xiv. of our Form of

Government, to be put to our own candidates before they are licensed: and that in like manner every ordained minister of the gospel, coming from any church in correspondence with the General Assembly, by certificate of dismissal and recommendation, should be required to answer affirmatively the first seven questions directed by Chapter xv. of our Form of Government, to be put to one of our own licentiates when about to be ordained to the sacred office.

The course which is thus recommended by the Committee, they believe has been generally practised by our Presbyteries; and the impropriety of admitting strangers into our connection on other terms than our own licentiates and ministers, is too obvious to require remark. It is the assent of licentiates and ministers to these questions which brings them under the watch and care of the Presbyteries which receive them, and without which they ought not to enjoy the privileges of preachers of the gospel in our ecclesiastical connection."—*Minutes*, 1830, p. 12.

The right of Presbyteries to examine applicants.

"*Resolved*, That in the judgment of this General Assembly, it is the right of every Presbytery to be entirely satisfied of the soundness in the faith and the good character in every respect of those ministers who apply to be admitted into the Presbytery as members, and who bring testimonials of good standing from sister Presbyteries, or from foreign bodies with whom the Presbyterian Church is in correspondence. And if there be any reasonable doubts of the proper qualifications of such candidates, notwithstanding their testimonials, it is the right and may be the duty of such a Presbytery to examine them, or to take such other methods of being satisfied in regard to their suitable character, as may be judged proper; and if such satisfaction be not obtained, to decline receiving them. In such case, it shall be the duty of the Presbytery rejecting the applicant, to make known what it has done to the Presbytery from which he came, with its reasons. It being always understood that each Pres-

bytery is in this concern as in all others, responsible for its acts to the higher judicatories.”—*Minutes*, 1835, p. 27.

The duty of Presbyteries to examine all applying for admission rendered imperative.

“The report of the Committee on the right of Presbyteries to examine ministers applying for admission, which was adopted this morning, was reconsidered, amended and adopted as follows, viz.

That the constitutional right of every Presbytery to examine all seeking connection with them, was settled by the Assembly of 1835. (See *Minutes* of 1835, p. 27.) This Assembly now render it imperative on Presbyteries, to examine all who make application for admission into their bodies, at least on experimental religion, didactic and polemic theology, and church government.”—*Minutes*, 1837, p. 429.

Where a Synod directed a Presbytery to receive a Minister.

“Resolved, That the appeal of the Presbytery of Abingdon, from the decision of the Synod of Virginia in the case of the Rev. Robert Glenn be dismissed, on the ground that the substantial cause of appeal has been removed by the act of that Presbytery in their receiving Mr. Glenn, in conformity with the decision of the Synod. The appeal was accordingly dismissed.”—*Minutes*, 1822, p. 27.

Where a Presbytery has received a minister, the action is valid and final; the Synod may censure their action but not reverse it, nor direct a reconsideration of it.

The Assembly doubt “the correctness of the order given by the Synod to the Presbytery of Geneva, to reconsider their proceedings on the subject of the admission of the Rev. Shipley Wells, a constituent member of that Presbytery. * * * * The individual became a member in full standing, nor could the Presbytery, though it should reconsider, reverse

its own decision or in any way sever the member so admitted from their body, except by a regular process.”—*Minutes*, 1816, p. 611.

“The Committee to whom was referred the complaints of the minority of the Synod of Illinois and also of Rev. William J. Frazer against the decisions of the Synod of Illinois in 1836, 1837; by which they censure the Presbytery of Kaskaskia for receiving the said William J. Frazer to membership, and refused him a seat in the Synod, made a report recommending that the papers be read and that the following resolutions be adopted, viz.

1. *Resolved*, That the complaint be sustained, and the act of the Synod in refusing a seat to Mr. Frazer be reversed.

2. That the Rev. W. J. Frazer is a member in good and regular standing of the Presbytery of Kaskaskia.”

The report was accepted and adopted.—*Minutes*, 1838, p. 22.

Ministers.—Of demitting their office.—Struck from the Roll for incompetency.

“There being from time to time complaints of the weakness and deficiency of Mr. Robert Laing, rendering his exercises of the ministerial function a detriment to the interest of religion and rather a scandal than a help to the gospel; the Synod advised him to demit the whole exercise of the ministry, and not to take it up again but by the approbation of at least three ministers of the Presbytery wherein he may reside; the said Mr. Laing did quietly and humbly acquiesce in the aforesaid advice.”—*Records*, 1726, p. 82.

Struck from the Roll for neglect of his office.

“Inasmuch as Mr. Stevenson has from time to time, and for years past, neglected attending on our judicatures, and also omitted his ministry without giving us any reasons for his said conduct, it is there-

fore agreed that his name shall be struck out of our records till he come before us and give an account of his proceedings."—*Records*, 1741, p. 154.

A minister not to be struck from the Roll because of physical inability to attend to the duties of his ministry.

"The Presbytery of New York report, that the Rev. Mr. William Woodhull, one of their members, appeared before them at their last meeting and stated to them his situation as being still incapable of exercising his ministry by his continued indisposition, and the little or rather no probability of his ever being able to attempt the exercise of it in future; and that he was at the same time engaged in certain secular employments that would seem to render it improper to have his name in their records as a member, while he is incapable of attending their meetings or discharging any of the great duties of his ministry, and therefore submits to them the propriety of their continuing and considering him a member from time to time; and that the Presbytery on considering his situation, thought it best to leave his name out of their records in future, till he should be able to return to the exercise of his ministry, an event that would give them great pleasure.

The Synod considered the above report, and are of opinion that Mr. Woodhull ought to be continued a member of the Presbytery of New York, and therefore direct the Presbytery to insert his name in their roll."—*Records*, 1783, p. 497.

[The Presbytery of New York report,] "that they had omitted in their records, agreeably to a direction of the Synod, the name of the Rev. William Woodhull, at his request, October 11, 1797."—*Minutes*, 1798, p. 136. [No action of Assembly on this.]

A similar case to the preceding.

[The Presbytery of New Castle reported] "that in consequence of Mr. Joseph Montgomery's having

informed them that through bodily indisposition, he was incapable of officiating in the ministry, and having also accepted an office under the civil authority, they have left his name out of their records."

"The Synod disapprove of the conduct of the Presbytery of New Castle, in striking the name of Mr. Montgomery off their roll for the reasons given in the report, neither of which, nor both together, seem to be sufficient; and in future recommend to all Presbyteries, when any ministers under their inspection resign their charge, or discontinue the exercise of their office while they remain in the same bounds, to pass a regular judgment on the reasons given for such conduct; and continue their inspection of those who shall not have deserved to be deprived of the ministerial character, though they may be laid aside from immediate usefulness."—*Records*, 1785, pp. 507, 510.

[The Presbytery of New Castle reported] "that they discontinued Mr. Joseph Montgomery in their roll."—*Records*, 1786, p. 516. [There appears to have been no action of the Synod on this seeming disregard to their order as above given.]

May a man hold the office of an Associate Judge and the office of the gospel Ministry at the same time, or is it expedient for a Presbytery to continue a person in the gospel Ministry in such circumstances?

"The Committee to whom were referred the communication from the Presbytery of Ohio, respecting the Rev. Boyd Mercer, and his letter to the Moderator of the Assembly, exhibited their report.

The report having been read and amended, was adopted, and is as follows, viz.

"With respect to the abstract question, whether the tenure of a civil office be or be not incompatible with that of the holy ministry; the Assembly is of opinion that there is nothing in the Holy Scriptures, or in the Constitution, acts, or proceedings of the Presbyterian Church in these United States, expressly prohibitory of such union of offices.

With respect to the particular case referred to their consideration, as Mr. Mercer, in his letter, expressly asserts that it is not his intention to decline the office of the holy ministry, and that he was led to devote himself, for the present, to the functions of an Associate Judge, by a state of health so infirm as to interrupt the regular discharge of his public duties as a minister of religion; your committee are of opinion, that the Presbytery of Ohio ought not to censure him, unless there be some circumstances in the case unknown to the Assembly.

That none, however, may so far misconstrue these sentiments as to persuade themselves that they countenance a covetous, ambitious spirit, your committee further beg leave to suggest the propriety of cautioning your clergy against worldly-mindedness; of exhorting them not to aspire after places of emolument or civil distinction; of reminding them that the care of souls is their peculiar business, and that they who serve at the altar ought, as far as possible, to avoid temporal avocations."—*Minutes*, 1806, p. 363.

In cases of suspension of ministerial duties through providential circumstances.

"By a report from the Presbytery of Lewes, it appeared that a minister, heretofore a member of that Presbytery, had been declared to be no longer a member thereof; and, as the Assembly were informed, is considered by them as divested of the ministerial office, and this without deposition, suspension, or censure.

Resolved, That it is a principle of this Church that no minister of the gospel can be regularly divested of his office, except by a course of discipline terminating in his deposition. That if any minister, by providential circumstances, become incapable of exercising his ministerial functions, or is called to suspend them, or to exercise them only occasionally, he is still to be considered as possessing the ministerial character and privileges; and his brethren of the Presbytery are to inspect his conduct; and while they treat him with

due tenderness and sympathy, they are to be careful that he do not neglect his ministerial duties beyond what his circumstances render unavoidable.”—*Minutes*, 1802, p. 258.

What is to be done in cases where ministers withdraw from the exercise of their ministry?

“When ministers have withdrawn, or may hereafter withdraw, wholly or in part, from the work of the ministry, it is enjoined upon the Presbyteries to which they belong, to require of such ministers their reasons for so doing, which reasons are to be put upon record by the Presbytery, with an expression of their approbation or disapprobation of the same.”—*Minutes*, 1834, p. 36.

In the case of ministers withdrawing to join other denominations.

[In the case of the Rev. Edward Andrews, a member of Chenango Presbytery,] “who has recently withdrawn, and received Episcopal ordination.”

“The Committee on the reference from Chenango Presbytery, in the case of the Rev. Edward Andrews, made the following report, which was adopted, viz.

Resolved, as the sense of this Assembly, That though the conduct of Mr. Andrews was disorderly, it is recommended to the Presbytery to do nothing further than simply to strike his name from the list of their members.”—*Minutes*, 1828, p. 237.

When ministers, without giving notice to the Presbytery, apply to another denomination, and their request to be received as ministers is refused, the Presbytery is still to consider them as members of their body.

[The Synod of New Jersey referred to the Assembly the case of the Rev. Garner A. Hunt, a member of Newton Presbytery, who, without the knowledge or consent of Presbytery, made application to the German Lutheran Synod, to be received as a member of that body, and his application was rejected.]

“*Resolved*, That the Rev. Garner A. Hunt be con-

sidered as still a member of Newton Presbytery, and amenable to that body.”—*Minutes*, 1828, p. 227.

A similar case.

“The Committee on Overture No. 2, viz. a reference for advice from the Presbytery of St. Lawrence, reported the following resolution as a suitable answer to be given in the case, which was adopted, viz.

Resolved, That when a minister, otherwise in good standing, gives notice in form to the Presbytery to which he belongs, that he renounces the fellowship of the Presbyterian Church; or by neglecting to attend the meetings of its judicatories, after being dealt with for such neglect, gives evidence that he has done so, in fact; his name ought to be struck from the roll of its members; a notice of this procedure communicated to the disowned member, and, if necessary, published to the Church.

The congregation under the care of such minister ought to be held as still under the care of Presbytery, unless they give evidence that they also have been withdrawn, in which case, their name ought also to be struck from the list of congregations belonging to the Presbytery.”—*Minutes*, 1830, p. 30.

When they desire to return, they must apply to the Presbytery from which they withdrew.

“Mr. David Austin, who had been formerly a member of the Presbytery of New York, and had withdrawn from the Presbytery and the Presbyterian Church, appeared before the Assembly, and renewed his request of last year, to be again received into ministerial communion and regular standing in the Presbyterian Church.

Mr. Austin having been fully heard in support of his petition, withdrew; when the Assembly, after maturely considering the case,

Resolved, That as it would be disorderly for this Assembly to restore Mr. Austin to his standing in the Presbyterian Church in the form in which it is sought by him, inasmuch as he withdrew from the

Presbytery of New York, against whom he makes no complaint, and to whom of course he ought to apply : so this Assembly in the course of the discussion had on the subject of Mr. Austin's application, have had before them sufficient evidence that it is inexpedient at present to recommend his reception by any judicature of this Church."—*Minutes*, 1802, p. 238.

Of Foreign Ministers.—[*The original Rule.*]

"That seeing we are likely to have the most of our supply of ministers to fill our vacancies from the north of Ireland, and seeing it is too evident to be denied and called in question, that we are in great danger of being imposed on by ministers and preachers from thence, though sufficiently furnished with all formalities of Presbyterial credentials, as in the case of Mr. Hemphill; and seeing also what was done last year, may be done this year and the year following, viz. we are still liable to be imposed upon by such credentials; upon these and the like considerations, we humbly overture to this reverend Synod, to make an order to the following purpose :

1st. That no minister or probationer coming in among us from Europe be allowed to preach in vacant congregations until first his credentials and recommendations be seen and approven by the Presbytery to which such congregation doth most properly belong, and until he preach with approbation before said Presbytery, and subscribe or adopt the Westminster Confession of Faith and Catechisms, before said Presbytery, in manner and form as they have done; and that no minister employ such to preach in his pulpit until he see his credentials and be satisfied, as far as may be, of his firm attachment to said Confession, &c., in opposition to the new upstart doctrines and schemes, particularly such as we condemned in Mr. Hemphill's sermons. And lest some strangers* might suffer by

* "At the same time it was agreed that it should be put upon record that the word 'strangers' should not be extended to any persons from any part of the continent of America."—*Records*, 1773, p. 446.

the rigorous observation of this order, let it be thus qualified: viz. that the Moderator and two of the members of each Presbytery be appointed a Standing Committee to act Presbyterially in that affair as there may be occasion, and to be accountable to their respective Presbyteries.

2d. That no congregation be allowed to present a call to any such minister or probationer coming in among us, though never so well certified, until he have preached at least one full half year within the bounds of this Synod.”—*Records*, 1736, p. 116.

The Rule of the Synod of New York and Philadelphia.

“The Committee appointed yesterday to prepare an overture of an act or regulation respecting the admission of ministers and candidates from foreign parts, brought in a draught, which being read a first and second time was unanimously approved, and is as follows, viz.

Whereas, it is of the highest importance to the interests of the Redeemer’s kingdom, that the greatest care be observed by church judicatures to maintain orthodoxy in doctrine and purity in practice in all their members; this Synod, in addition to the agreement upon this head of the year 1764, and further explained in the year 1765, do most earnestly recommend it to all their Presbyteries to be very strict and careful respecting these matters, especially in examining the certificates and testimonials of ministers or probationers who come from foreign churches; and that they be very cautious about receiving them unless the authenticity of these testimonials and certificates be supported by private letters or other credible and sufficient evidence; and in order more effectually to preserve this Synod, our Presbyteries and congregations from imposition and abuse, every year, when any Presbytery may report that they have received any ministers or probationers from foreign churches, that Presbytery shall lay before the Synod the testimonials and all other certificates on which

they received such ministers or probationers, for the satisfaction of the Synod, before such foreign ministers or probationers shall be enrolled as members of our body; and if the Synod shall find the testimonials false or insufficient, the whole proceedings had by the Presbytery in the admission, shall be held to be void; and the Presbytery shall not from that time receive or acknowledge him as a member of this body, or in ministerial communion with us.

On the other hand, whensoever any gentlemen from abroad shall come duly recommended as above, we will gladly receive them as brethren, and give them every encouragement in our power."—*Records*, 1774, p. 455.

The present Rule.

The draught of certain regulations respecting the admission of foreign ministers and licentiates, reported by the Committee appointed for that purpose was again read, and having been fully considered and amended, was adopted by a large majority, and is as follows, viz.

When any minister or licentiate from Europe shall come into this country, and desire to become connected with the Presbyterian Church in the United States, he may apply to any Committee appointed to direct the services of travelling ministers and candidates; which committee shall inspect his credentials, and by examination or otherwise, endeavour to ascertain his soundness in the faith and his experimental acquaintance with religion; his attainments in divinity and literature; his moral and religious character, and approbation of our public standards of doctrine and discipline. If the result shall be such as to encourage further trial, said committee may give him appointments to supply and recommend him to the churches till the next meeting of the Presbytery to which such committee belongs. It shall then become the duty of such minister or licentiate to apply to that Presbytery or to any other, in whose bounds he may incline to labour; provided always that he make his applica-

tion to the Presbytery at their first meeting after his coming within their bounds; and also that immediately on coming within the bounds of any Presbytery, he apply to their committee to judge of his certificate of approbation, and if they think it expedient, to make him appointments; or if it shall be more convenient, the application may be made to the Presbytery in the first instance; but it shall be deemed irregular for any foreign minister or licentiate to preach in any vacant church till he have obtained the approbation of some Presbytery, or committee of Presbytery in manner aforesaid.

The Presbytery to which such minister or licentiate may apply, shall carefully examine his credentials, and not sustain a mere certificate of good standing unless corroborated by such private letters, or other collateral testimony as shall fully satisfy them, as to the authenticity and sufficiency of his testimonials. After inspecting any evidences of his literary acquirements which may be laid before them, the Presbytery shall enter into a free conversation with him, in order to discover his soundness in the faith and experimental acquaintance with religion. If they shall obtain satisfaction on these several articles, they shall proceed to examine him on the learned languages, the arts, sciences, theology, Church history and government; nor shall they receive him unless he shall appear to have made such attainments in these several branches as are required of those who receive their education or pass their trials among ourselves. But if upon the whole, he appears to be a person worthy of encouragement and who promises usefulness in the Church, they shall receive him as a minister or a candidate on probation, he first adopting our standards of doctrine and discipline, and promising subjection to the Presbytery in the Lord. During this state of probation he may preach the gospel where regularly called, either as a stated or occasional supply; and if an ordained minister, perform every part of the ministerial functions, except that he may not vote in any judicatory, or accept a call for settlement.

If the foreigner who shall apply to any Presbytery or committee as aforesaid, be an ordained minister, such committee and Presbytery may, at their discretion, dispense with the special examination on literature in this Act prescribed, provided he shall exhibit satisfactory evidence that he has received such education, and made such progress in languages, arts, and sciences, as are required by the constitution of our Church, as qualifications for the gospel ministry. But in all other respects, the examination shall be the same as in the case of a licentiate.

If from prospects of settlement, or greater usefulness, a minister or licentiate under probation in any Presbytery, shall wish to move into the bounds of another, he shall receive a dismissal containing a certificate of his standing and character, from the Presbytery under whose care he shall have been; which certificate shall entitle him to the same standing in the Presbytery into whose bounds he shall come, except that from the time of his coming under the care of this latter Presbytery, a whole year shall elapse before they come to a final judgment respecting his reception.

When any foreign minister or licentiate, received on certificate, or pursuant to trials in any Presbytery, shall have resided generally and preached within their bounds and under their direction, for at least one year, they shall cause him to preach before them (if they judge it expedient,) and taking into consideration, as well the evidence derived from their former trials, as that which may arise from his acceptance in the churches, his prudence, gravity, and godly conversation, and from the combined evidence of the whole, determine either to receive or to reject him, or to hold him under further probation. In case of receiving him at that, or any subsequent period, the Presbytery shall report the same to their Synod at its next meeting, together with all the certificates and other testimony on which they received them; or if it shall be more convenient, this report may be made to the General Assembly. The said Assembly or Synod, as the case

may be, shall then inquire into the proceedings of the Presbytery in the affair, and if they find them to have been irregular or deficient, they shall recommit them to the Presbytery, in order to a more regular and perfect process. But if the proceedings had in the Presbytery appear to have been conformable to this regulation, they shall carefully examine all the papers laid before them by the Presbytery, or which shall be exhibited by the party concerned, and considering their credibility and sufficiency, come to a final judgment, either to receive him into the Presbyterian body, agreeably to his standing, or to reject him.

In order, however, to facilitate the settlement of foreign ministers as soon as may consist with the purity and order of the Church, it is further ordained that if the proper Synod or the General Assembly are not to meet within three months, after that meeting of a Presbytery at which a foreign minister on probation is expected to be received, the Presbytery may, if they see cause, lay his testimonials before that meeting of the Assembly or Synod, which shall be held next before said meeting of the Presbytery. If this Assembly or Synod shall approve the testimonials, they shall give the Presbytery such information and direction as the case may require, and remit the same to them for final issue. In all other cases, it shall be deemed irregular for any Synod or General Assembly to receive a foreign minister or licentiate, until he shall have passed his period of probation, and been received and reported by some Presbytery, in manner aforesaid.

No minister or licentiate, after being rejected by one Presbytery, shall be received by another, or if received through mistake or otherwise, he shall be no longer countenanced or employed after the imposition is discovered. If, however, any minister or licentiate shall think himself aggrieved by the sentence of any Presbytery, he shall have a right to carry the matter by complaint to the proper Synod, or to the next General Assembly, giving notice thereof to the Pres-

bytery during the meeting at which the sentence was pronounced, or at the meeting next following.

These regulations and provisions relative to the reception of foreign ministers and licentiates, are to be considered as coming in place of all that have heretofore been established on this subject; and all judicatures and individuals under the care of the Assembly are to regard them accordingly."—*Minutes*, 1800, p. 200.

It is not enough that the credentials be approved by the members present, when a Synod failed to meet for want of a quorum.

"It was determined not to receive Mr. Elliot on the recommendation of the ministers assembled at Yorktown, in October last, until he has laid his testimonials before the Synod of Philadelphia, or the General Assembly, according to the rules for receiving foreign ministers into our connection."—*Minutes*, 1796, p. 110.

It is irregular for a Synod to countenance a Presbytery in receiving a foreign licentiate without having laid their proceedings before a superior judicatory.

[The records of the Synod of Albany are approved] "excepting the case of receiving a foreign licentiate, by the Presbytery of St. Lawrence, without laying their proceedings in the case before the Synod, or General Assembly."—*Minutes*, 1822, p. 10.

The whole period of probation must be spent in one Presbytery.

"Overture No. 4 was taken up, viz.

An application from the Presbytery of Watertown, for leave to receive Mr. William Lockhead, a foreign licentiate, who, after being under the care of the Presbytery of Champlain for five months, had been dismissed to the Presbytery of Watertown, and had been under the care of the latter Presbytery since the 9th of Feb-

ruary last. The Presbytery of Watertown requests that the Assembly will allow them to take into the account for the term of trial, the time which he spent on trials in the Presbytery of Champlain.

On this request, the Assembly

Resolved, That the Standing Rule, which requires that the foreign licentiate must spend a year in the Presbytery to which he is dismissed, be not dispensed with."—*Minutes*, 1830, p. 24.

A decision contrary to the former.

"The Committee appointed on Overture No. 14, from the Presbytery of Elizabethtown respecting the case of Mr. John Anderson, a foreign licentiate, who in October, 1834, was received under the care of the Presbytery of New York, and in April last was transferred to the Presbytery of Elizabethtown; requesting that Mr. Anderson's year of probation may be considered as commencing at the time when he was received by the Presbytery of New York, reported as follows:

After examining all the documents put into their hands respecting the subject, they unanimously recommend that the request of the Presbytery of Elizabethtown be granted. This report was accepted and adopted.—*Minutes*, 1835, p. 12.

A minister once having passed his period of probation and been received, becomes a foreign minister, subject to the same rules of probation, by a subsequent residence and settlement in a foreign country.

"Overture No. 13. An application from the Presbytery of Philadelphia for advice and direction in the case of Rev. James T. Irvine. The facts of the case are these:

In the year 1825, Mr. Irvine was received as a foreign licentiate on probation by the Presbytery of Philadelphia; after the term of probation had expired, he was dismissed to the Presbytery of Huntingdon, and by that Presbytery ordained and installed in one of their churches. In the year 1834, he returned to

Ireland, where he became the pastor of a church, and remained until the present year.

The question to which the Presbytery wish an answer from the General Assembly is,

Does Mr. Irvine come under the denomination of a foreign minister, and is he subject to the rules in such cases provided? And if he be liable to the usual probation, may his probation be considered as commencing from the time in which he has made his present application to Presbytery? viz. from the 4th of April, 1848?

The Committee recommend that both questions be answered in the affirmative.

The recommendation was adopted." — *Minutes*, 1848, p. 22.

A minister retiring from the Presbyterian ministry in Ireland, from conscientious scruples, now wishes to return to the Presbyterian ministry.

"Overture No. 7. A reference from the Presbytery of St. Clairsville, of the case of the Rev. Samuel Boyd, who having retired in good standing from the Presbyterian ministry in Ireland in 1842, on account of a change in his views of Infant Baptism, now seeks a restoration to the exercise of the ministry among us, inasmuch as he adopts again, with full conviction, the whole Confession of our Faith.

The Committee recommended that the Presbytery of St. Clairsville be instructed to proceed according to the rule relating to foreign ministers, the probation of one year commencing at the time of their next stated meeting. The recommendation was adopted." — *Minutes*, 1849, p. 239.

"Overture No. 33. An Overture from the members of the Presbytery of Michigan, asking if

The rule of the General Assembly in relation to foreign ministers coming from Europe, should apply to ministers coming from Canada?

The Committee recommended that the Assembly

answer in the affirmative, excepting only when such ministers have been ordained in the United States, and by any Presbytery of our communion. The recommendation was adopted.”—*Minutes*, 1849, p. 256.

*Intercourse with bodies not in correspondence with us.
Case of a Methodist minister.*

[The Presbytery of Baltimore asked for direction, having received a request from the Presbyterian Church in the Island of Bermuda, for the settlement of Mr. Enoch Mattson, an elder, formerly connected with the Methodist Church, and now willing to subscribe the doctrine, discipline, and government of the Presbyterian Church.]

“The Assembly recommend to the Presbytery of Baltimore, to proceed in receiving Mr. Mattson to trials for the ministry, in the same manner as if no licensure or ordination by the Methodist Church had taken place.”—*Minutes*, 1792, p. 56.

Another and similar case.

“The following question from the Commissioners of Hudson Presbytery was brought in through the Committee of Overtures, viz.

Ought a Methodist minister, applying to one of our Presbyteries, and proposing to put himself under their care and to adopt their standards, to be again ordained?

On motion, it was agreed that a sufficient answer is already given to this question by the Assembly in their sessions of 1792, where they direct a Presbytery in a similar situation, to proceed as though no ordination had taken place.”—*Minutes*, 1800, p. 199.

*A modification of the foregoing action in relation to
the reception of Methodist ministers.*

“The Committee of Overtures brought in the following resolution, which having been read and amended, was adopted, and is as follows, viz.

Resolved, That in the opinion of this Assembly,

the decisions of the General Assembly of 1792, and referred to by the Assembly of 1800, respecting the reordination of ministers regularly ordained in the Methodist Episcopal Church, and desiring to connect themselves with the Presbyterian Church in the United States of America, however expedient at the time of its formation, ought not to be considered as a precedent to guide the future decisions of the judicatories of this Church; and that the Presbyteries under the care of this Assembly, when they receive into their connection an ordained minister from any other denomination, be careful to record the circumstances of the case and the reasons which induced them to receive such ordained minister."—*Minutes*, 1810, p. 441.

Are ministers from the Baptist denomination applying for admission to be re-ordained?

"The consideration of the report of the committee to which had been referred the question of validity of ordination in the case of a Baptist elder, was resumed, and the report being read, was adopted, and is as follows, viz.

It is not among the principles or usages of the Presbyterian Church, to consider the ordination of ministers by other Protestant churches as invalid; on the contrary, the Presbyterian Church has always considered the ordinations of most other Protestant churches as valid in themselves and not to be repeated when those who have received them become members of the Presbyterian Church. Nor is it perceived that there is any sufficient reason why the ordinations in the Baptist Church should not be considered as valid, and be sustained as such.

But while the Presbyterian Church can act as has now been stated in regard to ordinations, it is among those principles and usages which she regards as most sacred and important, to secure for her churches both a pious and a learned ministry, and she cannot admit of any usage or exercise any apparent liberality, in-

consistent with security in this essential particular. On the whole, therefore, the Committee recommend the following resolution :

Resolved, That when applications are made by ministers of the Baptist or any other Protestant denomination, to be connected with the Presbyterian Church, the Presbytery to which the applications are made shall require all the qualifications, both in regard to piety and learning, which are required of candidates for licensure or ordination of those who have originally belonged to the Presbyterian Church; and shall require the applicants from other denominations to continue their study and preparation till they are found on trial and examination to be qualified in learning and ability to teach in the manner required by our standards; but that when found thus to be qualified, it shall not be necessary to reordain the said applicants, but only to install them when they are called to settle in Presbyterian congregations."—*Minutes*, 1821, pp. 15, 16.

Intercourse with corresponding bodies.

"An overture was brought in, to endeavour to obtain some correspondence between this Synod and the Consociated Churches in Connecticut. A copy of a letter from this Synod to them was also read and approved, and the Rev. Messrs. John Ewing, Patrick Alison and the Moderator [Mr. Spencer] are desired to present this letter, and confer with our brethren on this affair. And in case it shall seem meet to our Reverend brethren to attend to this our proposal, so far as to appoint commissioners from their body to meet with commissioners from ours, we appoint the Rev. Dr. Alison, and the Rev. Messrs. Timothy Jones, William Tennent, John Rodgers, Elisha Kent, John Smith, John Blair, and Samuel Buel, to meet with them at such time and place as the Rev. Brethren of Connecticut shall agree."—*Records*, 1766, P. M. 363.

“The minutes of a Convention held at Elizabethtown, Nov. 5, 1766, by delegates from the consociated churches in Connecticut, and from this Synod were read, and a plan of union proposed between the congregational, consociated and Presbyterian churches, formed at that Convention, was seriously considered and amended;” [and delegates were appointed to attend at New Haven, on the 10th of September, and] “there finally on the part of this body, complete the plan of union, and transact all.”—*Records*, 1767, p. 373.

[The plan was accepted, and the Convention met alternately in New Jersey and Connecticut, till interrupted by the war in 1776. In 1790, the Assembly invited the ministers of the Congregational churches of New England to renew their annual Convention with us; and it was agreed with the General Association of Connecticut in 1792, that three delegates from each body should annually sit in each other's general meeting and deliberate, but not vote; and that standing committees be appointed to certify the characters of travelling preachers, to prevent injuries from irregular and unauthorized persons. At the suggestion of the Assembly in 1794, the right of voting was conceded by both bodies to the delegates. A similar plan of correspondence was agreed on in 1803, with the General Association of Vermont; in 1810, with the General Association of New Hampshire; and in 1811, with the General Association of Massachusetts; and in 1828, with the General Conference of Maine.

The right of voting was given up in 1830. In 1827, it was agreed that ministers, licentiates, and candidates should not be received by either body without regular testimonials and dismission. This was violated in 1837, by the Western Association of New Haven in licensing a candidate of New York Presbytery.

In 1838, the General Association of Massachusetts declared themselves unable to redress the grievance

complained of by the 2d Philadelphia Presbytery; the Berkshire Association having suffered one of their members to remain in a congregation under their care, after the Presbytery had decided that they could not admit him to their body.

A plan of correspondence with the Associate Reformed Church was adopted in 1820; and by the action of the General Assembly and the General Synod of the Associate Reformed Church, the two bodies were, in 1821, united.

In 1823, a plan of correspondence was proposed by the General Synod of the Reformed Dutch Church, and adopted; the right of voting was not conceded, and it was provided that the ministers of neither body shall intrude on the office of ministers of the other.

In 1824, correspondence was agreed on with the German Reformed Church.

In 1828, the General Synod of the Reformed Dutch Church complained to the General Assembly of the Presbytery of Columbia, for having taken on trials and licensed Mr. Leonard B. Van Dyke, a member of a church under the care of Albany Classis; he having, while a student in the Seminary of the General Synod, been refused the usual certificate on account of his doubts on certain standing articles of faith, and having left the Seminary, though advised to remain till his doubts were removed. The Assembly saw in this no violation of the plan of correspondence, but in compliance with the proposal of the General Synod, the following article was mutually agreed on:

“That none of the inferior judicatories under the care of the corresponding churches, shall be at liberty to admit into their respective bodies, or under their care, any student, or licentiate, from their sister church, without a regular dismissal from the ecclesiastical body or theological seminary to which he is considered as attached.”]—*Minutes*, 1830, p. 13.

Plan of Union.

“Regulations adopted by the General Assembly of the Presbyterian Church in America, and by the General Association of the State of Connecticut, (provided said Association agree to them,) with a view to prevent alienation, and to promote union and harmony in those new settlements which are composed of inhabitants from these bodies.

1. It is strictly enjoined on all their missionaries to the new settlements, to endeavour, by all proper means, to promote mutual forbearance, and a spirit of accommodation between those inhabitants of the new settlements who hold the Presbyterian, and those who hold the Congregational form of church government.

2. If in the new settlements any church of the Congregational order shall settle a minister of the Presbyterian order, that church may, if they choose, still conduct their discipline according to Congregational principles, settling their difficulties among themselves, or by a council mutually agreed upon for that purpose. But if any difficulty shall exist between the minister and the church, or any member of it, it shall be referred to the Presbytery to which the minister shall belong, provided both parties agree to it; if not, to a council consisting of an equal number of Presbyterians and Congregationalists, agreed upon by both parties.

3. If a Presbyterian church shall settle a minister of Congregational principles, that church may still conduct their discipline according to Presbyterian principles, excepting that if a difficulty arise between him and his church, or any member of it, the cause shall be tried by the Association to which the said minister shall belong, provided both parties agree to it; otherwise by a council, one half Congregationalists and the other Presbyterians, mutually agreed upon by the parties.

4. If any congregation consist partly of those who hold the Congregational form of discipline, and partly of those who hold the Presbyterian form, we recom-

mend to both parties that this be no obstruction to their uniting in one church and settling a minister; and that in this case the church choose a standing committee from the communicants of said church, whose business it shall be to call to account every member of the church who shall conduct himself inconsistently with the laws of Christianity, and to give judgment on such conduct. That if the person condemned by their judgment be a Presbyterian, he shall have liberty to appeal to the Presbytery; if he be a Congregationalist, he shall have liberty to appeal to the body of the male communicants of the church. In the former case, the determination of the Presbytery shall be final, unless the church shall consent to a further appeal to the Synod, or to the General Assembly; and in the latter case, if the party condemned shall wish for a trial by a mutual council, the cause shall be referred to such a council. And provided the said standing committee of any church shall depute one of themselves to attend the Presbytery, he may have the same right to sit and act in the Presbytery as a ruling elder of the Presbyterian Church."—*Minutes*, 1801, p. 224.

Some results of the Plan of Union.—The case of D. W. Lathrop.

"The Committee to which was referred the case of Mr. Lathrop, reported, and their report being read, was, without opposition, adopted, and is as follows, viz.

Whereas, a conventional agreement was entered into with the General Association of Connecticut, by the General Assembly of the Presbyterian Church, in the year 1801, for the purpose of preventing alienation and promoting harmony in those new settlements, which are composed of persons adhering to both those bodies;

And whereas, in the said agreement, it is provided, that in a church composed in part of Congregationalists and in part of Presbyterians, the church may choose a standing committee for the exercise of discip-

line; and moreover, that the standing committee of any church may depute one of their body to attend the Presbytery, and that the person so deputed, may have the same right to sit and act in Presbytery as a ruling elder of the Presbyterian Church; and moreover, as in the mixed state of Christian society, contemplated in the agreement aforesaid, Presbyteries have sometimes appointed members of standing committees so admitted into their body as commissioners to represent them in General Assembly; therefore,

Resolved, In order to carry into effect the friendly object of the above agreement, that Daniel W. Lathrop, [a member of the Standing Committee of the Church of Ellsworth,] be admitted as a member of this Assembly.

Resolved, That it be affectionately recommended to the brethren who compose mixed societies of this kind, as far as expediency will allow, to conform to the letter of the Constitution of the Presbyterian Church, in making their appointments and organizing their congregations."—*Minutes*, 1820, p. 724.

[In 1822, Mr. John Dorrance sat as an elder from the Presbytery of Susquehanna; in 1823, Mr. Joseph H. Jones; in 1824, Mr. Zebulon Butler; all private church members.]

The case of Josiah Bissell.

"Mr. Josiah Bissell, from the Presbytery of Rochester, appeared in the Assembly, and produced a commission as an elder from that Presbytery. A member of that Presbytery informed the Assembly that Mr. Bissell had not been set apart as an elder; but that he was appointed, as was supposed by the Presbytery, in conformity with the conventional agreement between the General Assembly and the General Association of Connecticut. After considerable discussion, it was

Resolved, That Mr. Bissell be admitted as a member of the Assembly."

The Moderator, Dr. McAuley, and forty-one others,

protested, alleging that "he was not even a committee-man, on which ground some might, in existing circumstances, have been disposed to advocate his admission as a member." In the answer it is said he was regularly commissioned. "It would be a dangerous precedent, and would lead to the destruction of all order in the Church of Christ, to permit unauthorized verbal testimony to set aside an authenticated written document." "Every Presbytery has a right to judge of the qualifications of its own members, and is amenable to Synod, and not to the Assembly, except by way of appeal, reference, or complaint."—*Minutes*, 1826, p. 6, 23, 28.

The case of Clement Tuttle.

[The Committee of Elections reported]—"With respect to the case of the standing committee-man from Grand River Presbytery, they decline expressing any opinion as to the constitutional question of the right of such to a seat in the Assembly.

The Assembly proceeded to consider the case of the person denominated 'standing committee' in the commission; and after considerable discussion, it was

Resolved, That the member be received and enrolled among the list of members."—*Minutes* 1831, p. 158.

The inexpediency of admitting Committee-men to the Assembly, decided.

"The report of the Committee on Overture No. 12, viz. on the right of members of standing committees to be members of the General Assembly, was resumed. After considerable discussion, the overture was adopted, and is as follows, viz.

Resolved, That in the opinion of the General Assembly, the appointment by some Presbyteries, as has occurred in a few cases, of members of standing committees to be members of General Assembly, is inexpedient and of questionable constitutionality, and, therefore, ought not in future to be made."—*Minutes*, 1831, p. 190.

Such Committee-men refused.

[In 1832, two persons presented commissions as standing committee-men from Grand River Presbytery, and withdrew them on the third day.]

[In 1833, the Assembly refused to refer the case of Mr. Erastus Upson, a standing committee-man, from Oswego Presbytery, to the Committee on Elections, and gave him leave to withdraw his application.]

Abrogation of the Plan of Union.

“The Assembly proceeded to the order of the day, viz. That part of the report of the Committee on Overture No. 1, which relates to the ‘Plan of Union’ adopted in 1801.

The report was read and adopted, in part, as follows, viz.

In regard to the relation existing between the Presbyterian and Congregational Churches, the committee recommend the adoption of the following resolutions:

1. That between these two branches of the American Church, there ought, in the judgment of this Assembly, to be maintained sentiments of mutual respect and esteem, and for that purpose no reasonable efforts should be omitted to preserve a perfectly good understanding between these branches of the Church of Christ.

2. That it is expedient to continue the plan of friendly intercourse between this Church and the Congregational Churches of New England, as it now exists.

3. But as the ‘Plan of Union’ adopted for the new settlements, in 1801, was originally an unconstitutional act on the part of that Assembly—these important standing rules having never been submitted to the Presbyteries—and as they were totally destitute of authority as proceeding from the General Association of Connecticut, which is invested with no power to legislate in such cases, and especially to

enact laws to regulate churches not within her limits; and as much confusion and irregularity have arisen from this unnatural and unconstitutional system of union, therefore, it is

Resolved, That the Act of the Assembly of 1801, entitled a 'Plan of Union,' be, and the same is hereby abrogated.'—*Minutes*, 1837, pp. 419, 421.

OF ERRORS IN DOCTRINE.

[Form of Government, Chapter XII., Section V.]

To the General Assembly also belongs the power of deciding in all controversies of doctrine and discipline; of reproof, warning, and bearing testimony against error in doctrine, or immorality in practice, in any church, Presbytery, or Synod.

In reference to the Creed published by the Rev. Hezekiah Balch, of Tennessee.

The Assembly having considered certain references and inquiries relative to the publication and the import of a creed by the Rev. Hezekiah Balch, remark

On the first Article of the creed,

"That Mr. Balch is erroneous in making disinterested benevolence the only definition of holiness, or true religion; because this may perplex the minds of those not accustomed to abstract speculations, is questionable in itself, and may convey the idea that an absolute God, or a God out of Christ, is the object of the highest affection to the renewed mind."

On the second Article, they remark,

"That he has confounded self-love with selfishness in an abstract speculation, calculated to puzzle plain Christians, and lead to unprofitable disputes."

On the third Article, they remark,

"That the transferring of personal sin, or righteousness, has never been held by Calvinistic divines, nor by any person in our Church, so far as is known to

us, and therefore that Mr. Balch's observations on that subject appear to be either nugatory or calculated to mislead. With regard to his doctrine of original sin, it is to be observed that he is erroneous in representing personal corruption as not derived from Adam; making Adam's sin to be imputed to his posterity, in consequence of a corrupt nature *already possessed*, and derived from *we know not what*; thus, in effect, setting aside the idea of Adam's being the federal head or representative of his descendants, and the whole doctrine of the covenant of works.

It is also manifest that Mr. Balch is greatly erroneous in asserting that the formal cause of a believer's justification, is the imputation of the fruits and effects of Christ's righteousness, and not that righteousness itself; because righteousness, and that alone, is the formal demand of the law, and consequently the sinner's violation of the Divine law can be pardoned only in virtue of the Redeemer's perfect righteousness being imputed to him and reckoned as his. It is also not true that the benefits of Christ's righteousness are, with strict propriety, said to be imputed at all; as these benefits flow to and are possessed by the believer as a consequence of his justification, and having an interest in the infinite merits of the Saviour.

On the fourth Article no remark is necessary.

On the fifth, they remark,

"That Mr. Balch appears to confound sentiment with the mere perception of truth, whereas it always partakes of the disposition of the heart, and consequently involves in it either sin or holiness. The article as stated by him, contradicts the principle laid down in the introduction to our Form of Government, and levels the important distinction between truth and falsehood, so as to be liable to the construction that it is no matter what a man believes. And though Mr. Balch may not, and probably did not intend to insinuate anything disrespectful to the Holy Scriptures, where he asserts that 'there are wrong sentiments in the Bible,' yet, as his expression is liable to such a construction, we judge it highly censurable.

“On the sixth and seventh Articles, no remarks seem to be necessary, except that the offence given by the reflection cast on his brethren, the Presbyterians, in the seventh, has been sufficiently removed by his candid acknowledgment before the Synod and General Assembly.”

“The eighth, ninth, and tenth Articles require no remark, except that they appear to be unimportant.”

On the twelfth Article, they remark,

“That his observation upon love, as exercised by the human race, so far as it may be applicable to a state of infancy, is unintelligible; and that though a distinction may be made between regeneration and conversion, yet the terms in which the article is expressed are exceptionable, as they seem to discourage the use of the means of grace.”

On the thirteenth Article, they remark,

“That in making repentance and faith to proceed wholly from love or charity, Mr. Balch has expressed an opinion unnecessary and improper.”

“In regard to the subject of false doctrine, in discoursing from Psalm li. 5, and Isa. xlviii. 8, nothing seems necessary to be added to the remarks made on the subject of original sin, as contained in Mr. Balch’s creed, except that he charges Calvinistic divines with holding sentiments relative to infants which they do not hold; and that he makes positive declarations in regard to the state of infants, when it has pleased a wise and holy God to be silent on this subject in the revelation of his will.”

“On the whole, your committee recommend that Mr. Balch be required to acknowledge before the Assembly that he was wrong in the publication of his creed; that in the particulars specified above, he renounce the errors pointed out; that he engage to teach nothing hereafter of a similar nature; that the Moderator admonish him of the divisions, disorder, trouble and inconvenience which he has occasioned to the Church and its judicatories, by his imprudent and unwarrantable conduct, and warn him against doing anything in time

to come that may tend to produce such serious and lamentable evils.

That if Mr. Balch submit to this, he be considered as in good standing with the Church, and that the reference and the queries of the Synod of the Carolinas be considered as fully answered by the adoption of these measures."

Time for consideration was granted to Mr. Balch.

The following afternoon, May 29, Mr. Balch appeared before the General Assembly and made the following declaration, viz.

"I do fully acknowledge that I was wrong in publishing my creed. I do solemnly declare, however, as in the presence of my final Judge, that I never did entertain the ideas, nor intend to teach the doctrines which are pointed out as errors in the statement of the Assembly; but as I cannot so well judge as the Assembly what ideas my language actually conveys, and the Assembly declares that my language has conveyed these ideas and doctrines to their minds, I do fully and cheerfully renounce them as wrong and improper; and I do solemnly and sincerely engage, in a reliance on divine grace, never hereafter to teach or preach what the Assembly have stated as erroneous; and I do finally and cheerfully submit myself to the admonition which the Assembly may see meet to give for my irregularities, which I acknowledge to deserve censure, and for which I am sincerely sorry."

Whereupon the Moderator, [Dr. John B. Smith,] gave to Mr. Balch the solemn admonition agreed to; and then the Assembly declared themselves fully satisfied in the case of Mr. Balch, and that he is, and ought to be considered as in good standing with the Church.

The whole transaction was concluded with prayer."
—*Minutes*, 1798, pp. 155–158.

In reference to the Gospel Plan of the Rev. William C. Davis.

"The overture from the Synod of the Carolinas which had been laid on the table, referring to the

Assembly an overture laid before that Synod, requesting their attention to a late publication of the Rev. W. C. Davis, denominated the Gospel Plan; Messrs. Robert G. Wilson, Calhoun, and Anderson were appointed to examine said book and report to this Assembly the doctrines it contains, if any such they find, that are contrary to the standards of the Presbyterian Church.

The report of the Committee was adopted, viz.

“The Committee presuming that a complete and perfect enumeration of all the objectionable parts of said book is not expected, called the attention of the Assembly only to the following doctrines, supposed to be contrary to the Confession of Faith of the Presbyterian Church.

Doctrine I. That the active obedience of Christ constitutes no part of that righteousness by which a sinner is justified, pp. 257, 261, 264, 3d corollary.

Doctrine II. That obedience to the moral law was not required as the condition of the covenant of works, pp. 178, 180.

These pages being read, the Assembly resolved that they do consider these doctrines as contrary to the Confession of our Church.

Doctrine III. God himself is as firmly bound in duty (not obedience) to his creatures, as his creatures are bound in obedience or duty to him, pp. 164, 166. Also, that God’s will is not the standard of right and wrong. If God’s will is the primary rule of his own actions, he would be 1st, entirely void of holiness; 2d, there could be no justice in God; 3d, it would be impossible for God to be unchangeable; 4th, if the will of God is the standard of right and wrong, then it would be no infringement on the divine character to be unfaithful to his word and promises, pp. 168–171.

These pages were read,

Resolved, That without deciding on the question whether these sentiments are contrary to our Confession of Faith, the Assembly consider the mode in which they are expressed as unhappy, and calculated to mislead the reader.

Doctrine IV. God could not make Adam or any

other creature either holy or unholy. Compare page 194 with 166.

Doctrine V. Regeneration must be a consequence of faith. Faith precedes regeneration, p. 352.

Doctrine VI. Faith, in the first act of it, is not a holy act, p. 358, &c.

These pages being read,

Resolved, That the Assembly do consider the three last mentioned doctrines contrary to the Confession of Faith of our Church.

Doctrine VII. Christians may sin wilfully and habitually, pp. 532, 534.

These pages being read,

Resolved, That the Assembly consider the expressions very unguarded; and so far as they intimate it to be the author's opinion that a person may live in an habitual and allowed sin, and yet be a Christian, the Assembly considers them contrary to the letter and spirit of the Confession of Faith of our Church, and in their tendency highly dangerous.

Doctrine VIII. If God has to plant all the principal parts of salvation in a sinner's heart to enable him to believe, the gospel plan is quite out of his reach, and consequently does not suit his case; and it must be impossible for God to condemn a man for unbelief, for no just law condemns or criminales any person for not doing what he cannot do, p. 413.

This page, and several others on the same subject being read,

Resolved, That the Assembly do consider this last mentioned doctrine as contrary to the Confession of Faith of our Church.

On the whole,

Resolved, That this Assembly cannot but view with disapprobation, various parts of the work entitled the Gospel Plan, of which William C. Davis is stated in the title-page to be the author. In several instances, in this work, modes of expression are adopted so different from those which are sanctioned by use and by the best orthodox writers, that the Assembly consider them as calculated to produce useless or mischievous speculations.

In several other instances, there are doctrines asserted and advocated, as has been already decided, contrary to the Confession of Faith of our Church, and the word of God; which doctrines the Assembly feel constrained to pronounce to be of very dangerous tendency: and the Assembly do judge, and do hereby declare that the preaching or publishing of them, ought to subject the person or persons so doing to be dealt with by their respective Presbyteries, according to the discipline of the Church relative to the propagation of errors."—*Minutes*, 1810, pp. 448, 452.

A petition from the Presbytery of South Carolina requesting a reconsideration of a decision of last Assembly, relative to the appeal of the Rev. W. C. Davis, was read: whereupon,

"*Resolved*, That though the General Assembly regret the dissatisfaction of the Presbytery of South Carolina in the case of Mr. Davis, yet they cannot see it to be expedient or proper to reconsider the judgment of the General Assembly of last year on the case in question."—*Minutes*, 1811, p. 468.

In the case of the Rev. Albert Barnes.

[The Assembly took up the complaint of the minority of Philadelphia Presbytery: after prayer for direction, the whole proceedings of the Presbytery were read, and the sermon, entitled the Way of Salvation, which led to the proceedings. The parties submitted the case without argument, and it was referred to Dr. Miller, Dr. Matthews, Dr. Lansing, Dr. Fisk, Dr. Spring, Dr. John McDowell, Mr. Bacon, Mr. Ross, Mr. Elipha White, and the Elders, Mr. Jessup and Mr. Napier.]

Their report was adopted as follows:

"That after bestowing on the case the most deliberate and serious consideration, the committee are of opinion that it is neither necessary nor for edification, to go into the discussion of all the various and minute details which are comprehended in the documents relating to this case. For the purpose, however, of

bringing the matter in controversy, as far as possible, to a regular and satisfactory issue, they would recommend to the Assembly the adoption of the following resolutions:

1. *Resolved*, That the General Assembly, while it appreciates the conscientious zeal for the purity of the Church, by which the Presbytery of Philadelphia is believed to have been actuated in its proceedings in the case of Mr. Barnes; and while it judges that the sermon by Mr. Barnes, entitled the Way of Salvation, contains a number of unguarded and objectionable passages; yet it is of the opinion that, especially after the explanations which were given by him of those passages, the Presbytery ought to have suffered the whole to pass without further notice.

2. *Resolved*, That in the judgment of this Assembly, the Presbytery of Philadelphia ought to suspend all further proceedings in the case of Mr. Barnes.

3. *Resolved*, That it will be expedient, as soon as the regular steps can be taken, to divide the Presbytery in such way as will be best calculated to promote the peace of the ministers and churches belonging to the Presbytery.

With respect to the abstract points proposed to the Assembly for their decision, in the reference of the Presbytery, the committee are of the opinion that if they be answered, they had better be discussed and decided *in thesi*, separate from the case of Mr. Barnes." —*Minutes*, 1831, pp. 176, 180.

[On the 6th of June, 1836, the Assembly, by a vote of 134 to 96, sustained the appeal of the Rev. Albert Barnes from the decision of the Synod of Philadelphia, suspending him from the work of the gospel ministry for erroneous opinions published in his Notes on the Romans.]

The following resolution, offered by Dr. Miller was rejected by a vote of 109 to 122.

"*Resolved*, That while this General Assembly has thought proper to remove the sentence of suspension under which the Rev. Mr. Barnes was placed by the

Synod of Philadelphia; yet the judgment of the Assembly is, that Mr. Barnes, in his notes on the Epistle to the Romans, has published opinions, materially at variance with the Confession of Faith of the Presbyterian Church, and with the word of God; especially with regard to original sin, the relation of man to Adam, and justification by faith, in the atoning sacrifice and righteousness of the Redeemer. The Assembly consider the manner in which Mr. Barnes has controverted the language and doctrine of our public standards, as highly reprehensible, and as adapted to pervert the minds of the rising generation, from the simplicity and purity of the gospel plan. And although some of the most objectionable statements and expressions which appeared in the earlier editions of the work in question, have been either removed, or so far modified or explained, as to render them more in accordance with our public formularies; still the Assembly considers the work, even in its present amended form, as containing representations which cannot be reconciled with the letter or spirit of our public standards; and would solemnly admonish Mr. Barnes again to review this work; to modify still further the statements which have grieved his brethren; and to be more careful in time to come, to study the purity and peace of the Church.”—*Minutes*, 1836, p. 270.

The following protests were read and entered on the minutes:

“Whereas, the General Assembly of the Presbyterian Church did, by their vote on the 7th inst., reject a resolution disapproving some of the doctrinal statements contained in Barnes’ Notes on the Romans—which resolution, especially under the peculiar circumstances of the case, the undersigned considered of high importance to the church with which we are connected, to the cause of our Lord and Saviour Jesus Christ, and to the just exhibition of his grace and truth; we whose names are subscribed, feel constrained, in the name of the great Head of the Church,

solemnly to protest against said decision, for the following reasons; viz.

1. Because we believe that the constitutional standards of the Church, in their plain and obvious meaning, and in the sense in which they have always been received, are the rule of judgment by which all doctrinal controversies are to be decided. That it is the duty of the Church to maintain inviolate her doctrine and order, agreeably to those standards; to bear her decided testimony against all deviations from them, and not to countenance them, even by implication. Yet in the above decision, there was, as we believe, a departure from our constitutional rule, a refusal to bear testimony against errors, with an implied approbation of them, and a constructive denial that ministers of the gospel in the Presbyterian Church are under solemn obligations to conform in their doctrinal sentiments to our Confession of Faith and Catechisms.

2. Because the errors contemplated in the aforesaid resolution, do not consist merely, nor chiefly, in inaccurate or ambiguous expressions and mistaken illustrations, but in sentiments and opinions, respecting the great and important doctrines of the gospel, which are utterly inconsistent with the statement of those doctrines, made in the Confession of Faith, and revealed in the word of God. We sincerely and firmly believe that Mr. Barnes has denied, and that in a sneering manner, that Adam was the covenant head of the human race; that all mankind sinned in him as such, and were thus brought under the penalty of transgression; that Christ suffered the penalty of the law when he died for sin; and that the righteousness of Christ is imputed to believers for justification. These and similar doctrinal views we regard as material variations from our standards, as dangerous in themselves, and as contravening some of the leading principles of our system, such as man's complete dependence, and the perfect harmony of justice and grace in the salvation of the sinner.

3. Because this expression of approbation of his

opinions was passed after, as we believe, it had been clearly and sufficiently proved to the Assembly, that Mr. Barnes had denied these important truths, and had expressed opinions respecting original sin, the nature of faith, and the nature of justification, which cannot be reconciled with our standards; and after, instead of retracting any of his doctrinal opinions, he had declared expressly before the Assembly, and published in the preface to the last edition of his Notes on the Romans, that he had not changed, but held them still, and was determined to preach them until he died.

For these reasons, and for the glory of God, that we may preserve a conscience void of offence, we request that this our solemn protest may be entered on the minutes of the Assembly.

W. W. Phillips, J. McElroy, James Hoge, Samuel S. Davis, Francis McFarland, Joseph Smith, James McCurdy, Jacob F. Price, W. L. Breckinridge, H. M. Koontz, P. J. Sparrow, Robert Johnston, Joseph Harbeson, John H. Culbertson, W. P. Alrich, J. S. Wilson, T. C. Stuart, J. McClintock, Nathaniel Todd, Alexander R. Curry, George Anderson, Jas. McFarlan, John Bemiss, John M. C. Bartley, Samuel McQuestin, William James, Ananias Platt, Duncan McMartin, Edwin Downer, H. M. Hopkins, James V. Henry, Russell J. Minor, William Marshall, James Lenox, Samuel Boyd, William Wallace, (N. Y.) Samuel Miller, B. Ogden, James Seabrook, Jacob Castner, Joseph Campbell, James Kennedy, John Stinson, Samuel Henderson, J. Coulter, Joel Stoneroad, N. Ewing, James Alexander, Joseph D. Ray, Robert Highlands, John Miller, J. Eaton, Robert Porter, Joseph McFarren, C. Velandingham, Alex. Write, R. Johnston, James Wilson, James Rowland, Archibald Hanna, John Elliot, William Wallace, (Lan.) Robert Smith, J. S. Galloway, S. Scovel, B. C. Swan, G. Bishop, William Dunn, M. G. Wallace, J. S. Weaver, Samuel Donnell, B. F. Spillman, W. A. G. Posey, J. S. Berryman, D. S. Todd, Lewis Collins, William Williamson, James Wharey, John McElhenny, Thos.

Baird, E. W. Caruthers, Archibald McCallum, R. H. Kilpatrick, John S. McCutchan, T. A. Ogden, A. A. Campbell, John Ingram, S. B. Lewers, J. Le Roy Davies, Thomas L. Dunlap, Eugenius A. Nesbit, Gilbert T. Snowden, Horace S. Pratt, John H. Van Court, F. H. Porter, Thomas R. Borden, T. C. Stuart, John R. Hutchison, David Morrow, J. H. Gray.

The following protest was also offered, and being read, was ordered to be entered on the minutes, viz.

The undersigned, members of the General Assembly, who were of the opinion that the appeal of the Rev. Albert Barnes should be sustained only in part, and that a modified decision should be made, beg leave to present to the Assembly this brief explanation of their views, and desire that it may be entered on the minutes, as their protest against the course which has been pursued in this case.

1. They explicitly declare, that in their opinion the refusal of the Presbytery to bring their records before the Synod, and of Mr. Barnes to appear and plead in defence when their objections had been overruled, was irregular and censurable; and that although the Synod acted in a manner that was questionable, and perhaps injudicious, in trying the appeal of Dr. Junkin, without the records of the Presbytery, and in the absence of Mr. Barnes, who had declined making any defence, yet this irregularity was not of such a nature as to annul their proceedings.

2. They were of the opinion that the charges brought against Mr. Barnes by Dr. Junkin, were at least partly substantiated, and that on very important topics of the system of doctrine contained in the Confession of Faith, and the Word of God; and that, therefore, the appeal could be sustained only in a modified sense, if at all on this ground, without an implied approbation of his doctrinal views.

3. Further, they were of the opinion, that inasmuch as some of the charges were not fully, if at all sustained; and it may be doubted whether the Synod ought, as the circumstances of the case appeared to

be, to have inflicted the censure of suspension; and Mr. Barnes, during the progress of this trial, exhibited some important alterations of his book, and made such explanations and disavowals of the sentiments ascribed to him, as were satisfactory in a considerable degree; the removal of his suspension might be deemed proper and safe; they were therefore willing, on this account, to concur in this measure; but did not desire to sustain the appeal in an unqualified sense.

The undersigned, therefore, desire to place themselves aright, in the discharge of their official duty, before this Assembly, and the Church with which they are connected, and the whole Christian Church, so far as these transactions may be known; and cannot consent to be understood as giving countenance to irregular proceedings in the judicatories of the Church, or those who are amenable to them; or as overlooking erroneous doctrinal sentiments; or as desiring to exercise undue severity towards the appellant. And they cannot withhold the expression of their regret, that all their efforts to procure a justly modified decision, were defeated by the positions occupied by different and opposite portions of the Assembly, in regard to this case; nor will they conceal that they have painful apprehensions that these things will lead to extended and increased dissension, and endanger the disruption of the holy bonds which hold us together as one Church.

Pittsburgh, June 7th, 1836.

James Hoge, Samuel Miller, N. Ewing, John McElhenny, John H. Van Court, Benjamin Ogden, Thomas A. Ogden, Francis McFarland, John M. C. Bartley, James Wharey, Samuel S. Davis, D. McMartin, Jr., Samuel L. Graham, Evander McNair, John S. Gallo-way, Samuel Henderson.—*Minutes*, 1836, pp. 283–286.

The Assembly adopted the following answer:

“The Committee appointed to answer the protests Nos. 2 and 3, brought in the following answer, which

was adopted, and ordered to be entered on the minutes.

In reply to the two protests of the minority, against the decision of the Assembly in refusing to censure the first edition of Barnes's Notes on the Romans, the Assembly remark:

1. That by their decision they do not intend to, and do not, in fact, make themselves responsible for all the phraseology of Mr. Barnes; some of which is not sufficiently guarded, and is liable to be misunderstood; and which we doubt not Mr. Barnes, with reference to his usefulness, and the peace of the Church, will modify so as to prevent, as far as may be, the possibility of misconception.

2. Much less do the Assembly adopt as doctrines, consistent with our standards, and to be tolerated in our Church, the errors alleged by the prosecutor, as contained in the Book on the Romans. It was a question of fact whether the errors alleged are contained in the book; and by the laws of exposition, in conscientious exercise of their own rights and duties, the Assembly have come to the conclusion that the book does not teach the errors charged. This judgment of the Assembly is based on this maxim of equity and charity, adopted by the Assembly of 1824, in the case of Craighead, which is as follows, namely: 'A man cannot be fairly convicted of heresy for using expressions which may be so interpreted as to involve heretical doctrines, if they also admit of a more favourable construction. It is not right to charge any man with an opinion which he disavows.' The import of this is, that when language claimed to be heretical, admits without violence of an orthodox exposition, and the accused disclaims the alleged error, and claims as his meaning the orthodox interpretation, he is entitled to it, and it is to be regarded as the true intent and import of his words. But in the case of the first edition of the Notes on the Romans, the language is, without violence, reconcilable with an interpretation conformable to our standards; and, therefore, all the changes of phraseology which he

has subsequently made, and all his disclaimers before the Assembly, and all his definite and unequivocal declarations of the true intent and meaning of his words, in the first edition, are to be taken as ascertaining his true meaning; and forbid the Assembly to condemn the book as teaching great and dangerous errors.

3. When the Assembly sustained the appeal of Mr. Barnes, by a majority of 38; and by a majority of 67, removed the sentence of his suspension, and restored him in good standing to the ministry, it is not competent for the same judicature, by the condemnation of the book, to inflict on Mr. Barnes indirectly, but really, a sentence of condemnation, as direct in its effects, and as prostrating to his character and usefulness, as if it had been done directly, by refusing to sustain his appeal, and by confirming the sentence of the Synod of Philadelphia:—And what this Assembly has declared, that it cannot in equity do directly, it cannot, in equity or consistency, attempt to do indirectly.

4. The proposed condemnation of Mr. Barnes' book, as containing errors materially at variance with the doctrines of our standards, after sustaining his appeal, and restoring him to good standing in the ministry, would be a direct avowal that great and dangerous errors may be published and maintained with impunity in the Church. For if the book does in fact inculcate such errors, it were wrong to attempt to destroy the book and spare the man. If the charges are real, they are not accidental. Therefore, should the Assembly decide the alleged errors of the book to be real, it would, by its past decision, declare that a man suspended for great and pernicious errors, may be released from censure, and restored to an unembarrassed standing in the ministry; a decision to which this Assembly can never give its sanction.

5. The attempt to condemn Mr. Barnes, by a condemnation of his book, after he had been acquitted on a hearing on charges wholly founded on the book, is a violation of the fundamental maxim of law, that

no man shall be twice put in jeopardy for the same offence; and if it were otherwise, and the man might be tried in his person, and tried on his book, the same process of specification and defence is due to personal and public justice.

6. So far is the Assembly from countenancing the errors alleged in the charges of Dr. Junkin, that they do cordially and *ex animo* adopt the Confession of our Church, on the points of doctrine in question, according to the obvious, and most prevalent interpretation; and do regard it as a whole, as the best epitome of the doctrines of the Bible ever formed. And this Assembly disavows any desire, and would deprecate any attempt, to change the phraseology of our standards, and would disapprove of any language of light estimation applied to them; believing that no denomination can prosper whose members permit themselves to speak slightly of its formularies of doctrine; and are ready to unite with their brethren, in contending earnestly for the faith of our standards.

7. The correctness of the preceding positions is confirmed, in the opinion of the Assembly, by a careful analysis of the real meaning of Mr. Barnes under each charge, as ascertained by the language of his book; and the revisions, disclaimers, explanations, and declarations which he has made.

In respect to the first charge, that Mr. Barnes teaches that all sin is voluntary, the context, and his own declarations, show that he refers to all *actual* sin merely, in which he affirms the sinner acts under no compulsion.

The second charge implies neither heresy nor errors, but relates to the expression of an opinion on a matter, concerning which, no definite instruction is contained, either in the Bible, or in the Confession of Faith.

In respect to the third charge, Mr. Barnes has not taught that unregenerate men are able, in the sense alleged, to keep the commandments, and convert themselves to God. It is an inference of the prosecutor from the doctrine of natural ability, as taught by Edwards, and of the natural liberty of the will as

taught in the Confession of Faith, Chap. ix. Sec. 1. On the contrary, he does teach in accordance with our standards, that man, by the fall, hath wholly lost all *ability of will* to any spiritual good accompanying salvation.

In respect to the fourth charge, that faith is an act of the mind, Mr. Barnes does teach it in accordance with the Confession of Faith, and the Bible; but he does not deny that faith is a fruit of the special influence of the Spirit, and a permanent holy habit of mind, in opposition to a created physical essence. That faith "is counted for righteousness," is the language of the Bible, and as used by Mr. Barnes, means, not that faith is the meritorious ground of justification, but only the instrument by which the benefit of Christ's righteousness is appropriated.

In respect to the fifth charge, Mr. Barnes no where denies, much less "sneers" at the idea that Adam was the Covenant and Federal Head of his posterity:—On the contrary, though he employs not these terms, he does, in other language, teach the same truths which are taught by this phraseology.

In respect to the sixth and seventh charges, that the sin of Adam is not imputed to his posterity, and that mankind are not guilty, or liable to punishment, on account of the first sin of Adam; it is to be observed, that it is not taught in the Confession of Faith, that the *sin* of Adam is imputed to his posterity:—The imputation of the guilt of Adam's sin, Mr. Barnes affirms, though not as including personal identity, and the transfer of moral qualities, both of which are disclaimed by our standard writers, and by the General Assembly.

In respect to the eighth charge, that Christ did not suffer the penalty of the law, as the vicarious substitute of his people; Mr. Barnes only denies the literal infliction of the whole curse, as including remorse of conscience and eternal death; but admits and teaches, that the sufferings of Christ, owing to the union of the divine and human natures in the person of the Mediator, were a full equivalent.

In respect to the ninth charge, that the righteousness of Christ is not imputed to his people, Mr. Barnes teaches the imputation of the righteousness of Christ, but not as importing a transfer of Christ's personal righteousness to believers, which is not the doctrine of our Church:—And when he says that there is no sense in which the righteousness of Christ becomes ours, the context, and his own declarations, show that he simply means to deny a literal transfer of his obedience; which, on the contrary, he teaches is so imputed or set to our account, as to become the only meritorious cause or ground of our justification.

In respect to the tenth charge, Mr. Barnes has not taught that justification consists in pardon only; but has taught clearly that it includes the reception of believers into favour, and their treatment as if they had not sinned.”—*Minutes*, 1836, p. 287.

Testimony against Errors.

The following was adopted by a vote of 109 to 6—non liquet 11.

“As one of the principal objects of the memorialists is to point out certain errors, more or less prevalent in our church, and to bear testimony against them, your committee are of opinion, that as one great object of the institution of the church was to be a depository and guardian of the truth; and as, by the constitution of the Presbyterian Church in the United States, it is made the duty of the General Assembly to testify against error; therefore, resolved, that the testimony of the memorialists concerning doctrine, be adopted as the testimony of this General Assembly, (with a few verbal alterations,) which is as follows:

1. That God would have prevented the existence of sin in our world, but was not able without destroying the moral agency of man: or, that for aught that appears in the Bible to the contrary, sin is incidental to any wise moral system.

2. That election to eternal life is founded on a foresight of faith and obedience.

3. That we have no more to do with the first sin of Adam than with the sins of any other parent.

4. That infants come into the world as free from moral defilement as was Adam, when he was created.

5. That infants sustain the same relation to the moral government of God in this world as brute animals, and that their sufferings and death are to be accounted for, on the same principles as those of brutes, and not by any means to be considered as penal.

6. That there is no other original sin than the fact that all the posterity of Adam, though by nature innocent, or possesssd of no moral character, will always begin to sin when they begin to exercise moral agency; that original sin does not include a sinful bias of the human mind, and a just exposure to penal suffering; and that there is no evidence in Scripture, that infants, in order to salvation, do need redemption by the blood of Christ, and regeneration by the Holy Ghost.

7. That the doctrine of imputation, whether of the guilt of Adam's sin, or of the righteousness of Christ, has no foundation in the word of God, and is both unjust and absurd.

8. That the sufferings and death of Christ were not truly vicarious and penal, but symbolical, governmental, and instructive only.

9. That the impenitent sinner is by nature, and independently of the renewing influence or almighty energy of the Holy Spirit, in full possession of all the ability necessary to a full compliance with all the commands of God.

10. That Christ does not intercede for the elect until after their regeneration.

11. That saving faith is not an effect of the special operation of the Holy Spirit, but a mere rational belief of the truth, or assent to the word of God.

12. That regeneration is the act of the sinner himself, and that it consists in a change of his governing purpose, which he himself must produce, and which is the result, not of any direct influence of the Holy

Spirit on the heart, but chiefly of a persuasive exhibition of the truth, analogous to the influence which one man exerts over the mind of another; or that regeneration is not an instantaneous act, but a progressive work.

13. That God has done all that *he can do* for the salvation of all men, and that man himself must do the rest.

14. That God cannot exert such influence on the minds of men as shall make it certain that they will choose and act in a particular manner without impairing their moral agency.

15. That the righteousness of Christ is not the sole ground of the sinner's acceptance with God; and that in no sense does the righteousness of Christ become ours.

16. That the reason why some differ from others in regard to their reception of the gospel is, that they make themselves to differ.

Against all these errors, whenever, wherever, and by whomsoever taught, the Assembly would solemnly testify; and would warn all in connection with the Presbyterian Church against them. They would also enjoin it upon all the inferior judicatories to adopt all suitable measures to keep their members pure from opinions so dangerous. Especially does the Assembly earnestly enjoin on all the Presbyteries to guard with great care the door of entrance to the sacred office. Nor can the Assembly regard as consistent with ministerial ordination vows, an unwillingness to discipline according to the rules of the word of God and of our standards, any person already a teacher, who may give currency to the foregoing errors."—*Minutes*, 1837, p. 468.

The General Assembly does not recognize the right of individuals to present for decision remonstrances respecting points of doctrine, not brought up from the inferior judicatories by appeal, reference, or complaint.

[A paper signed by a number of ministers and

elders, complaining of the prevalence of errors in doctrine, and requesting the opinion and advice of the Assembly, was overtured and being read, was committed to Drs. Rice, Hill, and Coe, Mr. Lansing and Dr. Bates.]

“The Committee to which was referred a paper purporting to be a remonstrance from John M. Rankin and others, who allege that they are members of the Presbyterian Church in the United States, having had the same under serious consideration, submitted the following report which was adopted, viz.

The General Assembly can never hesitate on any proper occasion to recommend to those who both at their licensure and ordination, professed sincerely to receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures, and to all other members of our Church, steadfastly to adhere to that “form of sound words.”

But while the General Assembly is invested with the power of deciding in all controversies respecting doctrine and discipline, of reproof, warning, or bearing testimony against error in doctrine, in any Church, Presbytery or Synod, or of suppressing schismatical contentions and disputations; all such matters ought to be brought before the Assembly in a regular and constitutional way; and it does not appear that the Constitution ever designed that the General Assembly should take up abstract cases and decide on them, especially when the object appears to be to bring those decisions to bear on particular individuals, not judicially before the Assembly.

Neither does it appear that the Constitution of the Church intended that any person or persons should have the privilege of presenting for decision remonstrances respecting points of doctrine or the conduct of individuals not brought up from the inferior judicatories by appeal, reference or complaint, and this especially when such remonstrances contain no evidence whatsoever of the facts alleged, but mere statements of the truth or justness of which the Assembly have no means of judging, inasmuch as a

contrary course would allow of counter and contradictory remonstrances without end.”—*Minutes*, 1822, p. 22.

The case of Mr. Craighead, charged with errors in doctrine.

Dr. Alexander, Dr. Hill, and Mr. William Gray of Miami Presbytery brought in a minute, expressive of the Assembly’s opinion on the appeal of Mr. Craighead.

“The consideration of the report of the committee appointed to prepare a minute on the subject of Mr. Craighead’s appeal from a decision of the Synod of Kentucky, suspending him from the gospel ministry on certain charges of heresy, founded on a sermon preached before the Synod, was resumed, and after some discussion, the report was adopted, and is as follows, viz.

1. The General Assembly are of opinion, that the conduct of Mr. Craighead in preaching such a sermon, and in such circumstances, before the Synod of Kentucky, especially as he had been suspected by his brethren of holding erroneous opinions, was highly reprehensible.

2. The General Assembly approve the conduct of the Synod in relation to this matter. While they were firm and zealous in maintaining what they believed to be truth, they were, to an uncommon degree, respectful and affectionate in their manner of dealing with Mr. Craighead. As the sermon was delivered in their hearing, believing as they did, that it contained dangerous error, they were bound to take notice of it, and express their opinion, to the preacher.

3. But they cannot approve the conduct of Mr. Craighead when before the Synod. He indeed manifested a lofty and independent spirit, that would not be controlled by authority, and there was not exhibited a due respect for the Synod, as an acknowledged judicatory of the Church of Christ. His conduct was not respectful and conciliatory; which certainly was a return that their tenderness to him called for; but

it was that of a bold and confident controvertist, who sets his opponents at defiance.

4. The publication of this sermon and defence, by Mr. Craighead, after he had been so earnestly entreated by the Synod, 'not to offend against the doctrines of the Confession and the feelings of his Christian brethren,' was even more reprehensible, as far as evidence is before us, than the first preaching of it.

5. The Presbytery of Transylvania, to which Mr. Craighead belonged, in the faithful discharge of their duty, could not have connived at such conduct. They acted properly, therefore, in calling upon Mr. Craighead to answer for this publication. Indeed, they deserve much commendation for their watchfulness, zeal, and firmness, in promptly meeting an evil which threatened greatly to injure the welfare of the Church. And when it is considered, that the man with whom they had to deal, was distinguished for his learning and eloquence, reputable in his character and standing in society, and venerable for his age, it was a duty of no small difficulty and self-denial, which they were called to perform. But they did not shrink from it. Therefore, whatever may have been their errors in the manner of conducting this business, or the errors of the Synod, it is the opinion of the General Assembly, that they performed their duty in difficult circumstances; and that their whole proceedings were prompted by pure and conscientious motives.

6. It is not surprising, that in a case so new and difficult, some considerable errors in point of form should have occurred; the principal of these, the General Assembly will now briefly point out.

There was a great deficiency in the charges preferred against Mr. Craighead as it relates to precision. All charges for heresy should be as definite as possible. The article, or articles of faith impugned, should be specified, and the words supposed to be heretical, shown to be in repugnance to these articles; whether the reference is made directly to the Scriptures, as a standard of orthodoxy; or to the Confession of Faith, which our Church holds to be a summary of the doc-

trines of Scripture. But in none of the charges against Mr. Craighead is this done; and in two of them, (third and fourth,) it would be very difficult to say, what articles of faith are supposed to be contravened in the errors charged on Mr. Craighead. And the last two charges appear to be so vague and indefinite, as to be incapable of proof. In the fifth, Mr. Craighead is charged with perverting, &c. the sentiments of the preachers and writers in our connexion. Now, in our connexion, there are a multitude of preachers and writers differing by many shades of opinion from each other. How then can this be a just ground of accusation? In the sixth, he is charged with the false colouring of facts, &c. But no facts are established by evidence; none are specified in the charge; and to make it a just ground of accusation, it ought to have been a designed and malicious discolouring of the facts, &c.

In the progress of this case, the Presbytery proceeded regularly to cite the accused, once and again, and upon his not appearing, they proceeded to the trial, and having gone through the evidence, they referred the whole to the Synod to adjudicate upon it, with the expression of their own opinion, that Mr. Craighead ought to be suspended. The Synod met immediately after Presbytery, and took up the case, and in concurrence with the opinion of the Presbytery, suspended Mr. Craighead from the gospel ministry.

In this proceeding, the General Assembly are of opinion, that there was too much haste. Mr. Craighead was not guilty of contumacy, for he wrote two letters to the Presbytery, excusing himself for non-attendance; and if he had been guilty of contumacy, he ought to have been suspended on that ground. Perhaps no man ought to be tried on charges preferred, and to be supported by evidence, who is not present, without his own consent. A trial, in the nature of things, cannot be impartial, when there is but one party heard. And in this case, no injury would have been sustained by delay, for the Synod

might have proceeded instantly to condemn the errors of Mr. Craighead's book, as the General Assembly did in the case of *The Gospel Plan* of W. C. Davis; the process against the author, however, did not commence till some time afterwards. But, however this may be, the General Assembly think that the Synod were in too much haste. It was reasonable that Mr. Craighead should have been informed of this transfer of the cause to a higher tribunal.

There is only one other thing in the proceedings on which the General Assembly will remark; which is, that *statements* were given as evidence, by the members of Presbytery, which are not recorded, and which do not appear to have been given under the usual solemnity of an oath.

But from matters of form, the General Assembly will now pass to the merits of the case; and for the sake of brevity, the first and second charges only shall be brought into view.

Charge 1. "We charge him with denying and vilifying the real agency of the Spirit in regeneration, and in the production of faith and sanctification in general."

And first, they would observe, that there can be no doubt, that the denial of the *real agency of the Spirit*, is a dangerous and fundamental error; and if Mr. Craighead taught such an error, he ought to have been suspended.

The question then is, do the passages of Mr. Craighead's sermon, referred to in the charge, prove that he did deny the *reality* of the operations of the Spirit?

Here it will be important to remark, that a man cannot fairly be convicted of heresy, for using expressions which may be so interpreted as to involve heretical doctrines, if they may also admit of a more favourable construction:—Because, no one can tell in what sense an ambiguous expression is used, but the speaker or writer, and he has a right to explain himself; and in such cases, candour requires, that a court should favour the accused, by putting on his

words the more favourable, rather than the less favourable construction.

Another principle is, that no man can rightly be convicted of heresy by inference or implication; that is, we must not charge an accused person with holding those consequences which may legitimately flow from his assertions. Many men are grossly inconsistent with themselves; and while it is right, in argument, to overthrow false opinions, by tracing them in their connexions and consequences, it is not right to charge any man with an opinion which he disavows.

With these principles in view, the General Assembly proceed to observe, that there is abundant evidence that Mr. Craighead did deny the *immediate agency* of the Spirit, but no clear evidence that he denied the *real agency* of the Spirit. These are very different things, and the proof of the one does by no means establish the other. *Immediate agency* or operation is opposed to *mediate*. This is a well known distinction in theology, and a point which has been greatly controverted. The Reformed Church, of which ours is a part, in all their purest times, maintained the doctrine of the immediate operation of the Spirit, not without the word, but distinct from it, and in the order of nature preceding it. Other Protestant churches, never charged with fundamental error, have as uniformly maintained the doctrine of a *mediate agency*; and those commonly believe, that this operation is not occasional, but uniform, and diversified in its effects, by the difference of resistance with which it meets. Neither the Presbytery nor the Synod appear to have attended sufficiently to this distinction. They appear to have thought, that a denial of *immediate agency*, was a denial of all *real agency*. It deserves special *regard* here, that our Confession takes no notice of these nice distinctions, about the mode in which the Holy Spirit operates. It usually mentions the word and the Spirit together, and the former as the instrument of the latter. And they who believe in the immediate agency of the Spirit, do not exclude the instrumentality of the word; they

however explain it in a different way from those who hold, that there is no agency of the Spirit, distinct from the word. But this is the more favourable construction; there is another, which if not more probable, is more obvious. Mr. Craighead may be understood as teaching, that the only real agency of the Spirit was in inspiring the Scriptures, and confirming them by signs and miracles. There is much in his discourse that has this bearing; and undoubtedly this is the common impression among the people where it is best known. This was the idea of the Synod of Kentucky, when they condemned him; and this is, in fact, denying the reality of the operation of the Spirit, in our days: and whether his expressions have been fairly interpreted or not, they are dangerous, and ought to be condemned. In justice to Mr. Craighead, however, it ought to be remembered, that he utterly disclaims this meaning, in his defence sent up to this Assembly. And would it be fair to continue to charge upon him opinions which he solemnly disavows? Of the sincerity of his disavowal, God is the judge. The conclusion is, that the first charge, though supported by strong probabilities, is not so conclusively established as to remove all doubt, because the words adduced in proof will bear a different construction from that put on them by the Presbytery and Synod.

The evidence in support of the second charge is still less clear and conclusive. The charge is,

“We charge him with denying, vilifying, and misrepresenting the doctrine of divine foreordination, and sovereignty, and election.”

It might, perhaps, be shown by argument, that Mr. Craighead uses many expressions not consistent with these doctrines; but agreeably to the principle laid down above, he must not be charged with holding these consequences unless he has avowed them. These passages of his discourse, it is true, contain erroneous and offensive things, but they do not establish the charge of denying, vilifying, &c. In one single instance, he seems to deny that every thing should be

referred to the sovereignty of God's will; but the words in their connection may have an innocent meaning. Here again it must be observed, that Mr. Craighead solemnly declares his belief in the doctrine of decrees and election, as expressed in our standards.

But whilst the General Assembly are of opinion that the charges against Mr. Craighead are not clearly and fully supported by the references, they feel it to be their duty to say, that the impression which they have received from hearing extracts from this discourse, are very unfavourable; and they do believe, that Mr. Craighead by preaching and printing this sermon, did subject himself justly to censure.

Moreover, the Assembly are of opinion, that the doctrines of this sermon, in the most favourable construction, are different from those of the Reformed Churches, and of our Church, and are erroneous; although the error is not of fundamental importance. They have observed also, that this discourse contains many unjust and illiberal reflections on the doctrine which has been the common and uniform belief of the great majority of the preachers and writers of the Reformed Churches. He mentions the names of a few persons as favouring the doctrine which he opposes; but he might have put into the list almost every standard writer of our own and sister churches, since the Reformation.

This sermon also contains much declamation which confounds fanaticism and piety; and representations of opinions which are true and important, so associated with error and absurdity, as to exhibit them in a ridiculous and odious light.

Finally, the General Assembly are deeply impressed with the evidences of an improper spirit, and an evil tendency in this sermon, and are of opinion that Mr. Craighead ought so to retract or explain his sentiments, as to afford reasonable satisfaction to his brethren.

Whereupon, *Resolved*, That as the proceedings in the case of Mr. Craighead, have been, in many respects, irregular, and he has suffered much injury

from the delay produced by these irregularities: And whereas also, the charges are not so conclusively established as to remove all doubt, the General Assembly cannot see their way clear finally to confirm the sentence of the Synod of Kentucky, although they are of opinion, that Mr. Craighead has subjected himself, by preaching and printing this sermon, to just censure. But as Mr. Craighead has had no fair opportunity of vindicating himself, or of making satisfactory explanations or retractions, therefore,

Resolved, That the whole cause be transmitted to the Presbytery of West Tennessee, in the bounds of which Mr. Craighead resides; and that they be directed to give him an early opportunity of offering that satisfaction which the Church expects, for the offence received: and that upon receiving such explanations or retractions as to them shall be satisfactory, Mr. Craighead be restored to the gospel ministry from which he had been suspended.”—*Minutes*, 1824, pp. 218—222.

Heretical books condemned.

[The contradictory action of the Assemblies of 1834 and 1835 on this subject, recorded below, is to be accounted for by the fact that the first of these Assemblies had a majority of New-school, and the last of Old-school commissioners. The Church was at that time on the verge of the disruption which soon after took place.]

“In the opinion of this Assembly, to take up and try and condemn any printed publication as heretical and dangerous, is equivalent to condemning the author as heretical; that to condemn heresy in the abstract cannot be understood as the purpose of such trial; that the results of such trial are to bear upon, and seriously to affect the standing of the author; and that the fair and unquestionable mode of procedure is, if the author be alive and known to be of our communion, to institute process against him, and give him a fair and constitutional trial.”—*Minutes*, 1834, p. 26.

In the judgment of this General Assembly, it is the right, and may be the duty of any judicatory of our Church to take up, and if it see cause, to bear testi-

mony against any printed publication which may be circulating within its bounds, and which, in the judgment of that judicatory, may be adapted to inculcate injurious opinions, and this whether the author be living or dead, whether he be in the communion of our Church or not, whether he be a member of the judicatory expressing the opinion or not."—*Minutes*, 1835, p. 28.

APPENDIX.

OF LICENSING CANDIDATES.

[Form of Government, Chapter XIV.]

II. *Resolved*, That this Assembly prefer that young men within their bounds who are looking forward to the work of the ministry, should be officially recognized as candidates under the care of Presbyteries, only when they are prepared to enter upon their theological studies; and that until that time they be regarded simply as students on probation, under the general watch and patronage of the Presbyteries.—*Minutes*, 1851, p. 29.

Discipline.—Chapter X.—Jurisdiction.

I. Shall members of our churches, who may wish to join churches not in correspondence with the General Assembly receive certificates in the same form as if they wished to join another church in our communion, or in correspondence with the Assembly? or has the church session done all it ought to do, when in such cases the good and regular standing of the persons so applying, is certified?

The following answer was adopted, viz.

Resolved, That this whole subject is one that ought to be left to the sound discretion of the various church sessions, according to the Constitution of the Presbyterian Church.—*Minutes*, 1851, p. 28.

Where a communicant desires his connection with the church to cease, on account of his belief that he is not a Christian.

No. 23. From the Presbytery of Baltimore, submitting the action of a session, by which the name of a member was stricken from the roll at his own request, and for the reason that he did not feel himself actuated in his life by Christian principles.

At the recommendation of the Committee the following resolution was adopted, viz.

Resolved, That in the opinion of this Assembly there is no constitutional or scriptural mode of separating members from the communion of the Church, except by death, by dismission to join another Church, or by discipline; consequently the action of this session is regarded as irregular.—*Minutes*, 1851, p. 32.

A Similar Case.

Mr. Burch, from the Committee on the minute in Judicial Case No. 1, made the following report, which was adopted as the final action of the house in the whole case, viz:

The Committee appointed to bring in a minute in reference to "Judicial Case No. 1," report, first, the facts in the case. A communicant, by the name of Ambrose Stone, in the Irish Grove church, for a long time abstained from partaking of the communion of the Lord's supper. He also, for a long time, ceased to worship God in his family. He repeatedly requested the session to *dissolve* his connection with the Church of Christ, assigning as the only reason for this course of conduct, that he believed he had never been born again, and that he had no love to Christ. The session did eventually comply with his request, and resolved that his connection with the church be dissolved.

This church was under the care of Sangamon Presbytery. The Presbytery upon reviewing the records of the session of Irish Grove church, considered this

a case of excommunication, and declared the action of the session not only unconstitutional, but also null and void; and that Mr. Stone was still a member of the Irish Grove church. The Moderator and Elder from that session claimed the right to vote in this disapproval of their records, which was refused by Presbytery. The session then complained to the Synod of Illinois, of the whole action of the Presbytery in the case. The Synod sustained and approved the action of the Presbytery.

This case was then brought before the General Assembly by the Irish Grove church session, in the form of a complaint against the Synod of Illinois, because it sustained the action of the Presbytery. The Assembly having fully heard the parties in the case, adopted the following resolutions, viz.

1st. *Resolved*, That no church session has authority to dissolve the connection of a communicant with the Church of Christ, except by excommunication, and that the sessions of our Church are bound to proceed according to the directions given in our Book of Discipline, when they do excommunicate a member. The Assembly does, therefore, condemn the action of the Irish Grove session in dissolving the connection of Mr. Stone with the Church of Christ, in the manner in which it did, as irregular and unconstitutional.

2d. *Resolved*, That the Presbytery of Sangamon acted correctly in not permitting the members of the Irish Grove session to vote for approving or disapproving their own records; that the Presbytery acted correctly in declaring the action of the session, in Mr. Stone's case, to be irregular and unconstitutional; and that then the Presbytery, without proceeding for that, ought to have required the session to review and correct its proceedings, in this case, according to the directions given in our Book of Discipline.

3d. *Resolved*, That the Synod ought to have directed the Presbytery to require the session to review and correct its proceedings, according to the directions given in our Book of Discipline.—*Minutes*, 1851, p. 33.

Slavery.

The Committee [Rev. Samuel Osgood of Massachusetts, R. G. Wilson of Ohio, I. V. Brown of New Jersey, and Hugh Dickson of South Carolina, with Mr. John Connelly, elder from Philadelphia] to which was committed the report of the committee to which the petition of some elders, who entertain conscientious scruples on the subject of holding slaves, together with that of the Synod of Ohio, concerning the buying and selling of slaves, had been referred, reported, and their report being read and amended, is as follows, viz.

“The General Assembly have repeatedly declared their cordial approbation of those principles of civil liberty which appear to be recognized by the Federal and State Governments in these United States. They have expressed their regret that the slavery of the Africans, and of their descendants, still continues in so many places, and even among those within the pale of the Church, and have urged the Presbyteries under their care to adopt such measures as will secure at least to the rising generation of slaves, within the bounds of the Church, a religious education, that they may be prepared for the exercise and enjoyment of liberty, when God in his providence may open a door for their emancipation. The committee refer said petitioners to the printed extracts of the Synod of New York and Philadelphia, for the year 1787, on this subject, republished by the Assembly in 1793, and also to the extracts of the Minutes of the Assembly for 1795, which last are in the following words, viz.

‘A serious and conscientious person, a member of a Presbyterian congregation, who views the slavery of the negroes as a moral evil, highly offensive to God, and injurious to the interest of the gospel, lives under the ministry of a person, or amongst a society of people, who concur with him in sentiment on the subject upon general principles, yet for particular reasons hold slaves, and tolerate the practice in others. Ought the former of these persons, under the impression and

circumstances above described, to hold Christian communion with the latter?’

Whereupon, after due deliberation, it was

Resolved, That, as the same difference of opinion with respect to slavery takes place in sundry other parts of the Presbyterian Church, notwithstanding which they live in charity and peace, according to the doctrine and practice of the Apostles, it is hereby recommended to all conscientious persons, and especially to those whom it immediately respects, to do the same. At the same time the General Assembly assure all the churches under their care, that they view with the deepest concern any vestiges of slavery which may exist in our country, and refer the churches to the records of the General Assembly, published at different times, but especially to an overture of the late Synod of New York and Philadelphia, published in 1787, and republished among the extracts from the Minutes of the General Assembly of 1793, on that head, with which, they trust, every conscientious person will be fully satisfied.”

This is deemed a sufficient answer to the first petition, and with regard to the second, the Assembly observe that although in some sections of our country, under certain circumstances, the transfer of slaves may be unavoidable, yet they consider the buying and selling of slaves by way of traffic, and all undue severity in the management of them, as inconsistent with the spirit of the gospel. And they recommend it to the Presbyteries and Sessions under their care, to make use of all prudent measures to prevent such shameful and unrighteous conduct.—*Minutes*, 1815, p. 585.

The following resolution was submitted to the Assembly, viz.

Resolved, That a person who shall sell as a slave, a member of the Church, who shall be at the time in good standing in the Church and unwilling to be sold, acts inconsistently with the spirit of Christianity, and ought to be debarred from the communion of the Church.

After considerable discussion, the subject was committed to Dr. Green, Dr. Baxter and Mr. Burgess [of Ohio,] to prepare a report to be adopted by the Assembly, embracing the object of the above resolution, and also expressing the opinion of the Assembly in general, as to slavery.

[The report of the committee] being read was unanimously adopted, and referred to the same committee for publication. It is as follows, viz.

“The General Assembly of the Presbyterian Church, having taken into consideration the subject of slavery, think proper to make known their sentiments upon it to the churches and people under their care.

We consider the voluntary enslaving of one part of the human race by another, as a gross violation of the most precious and sacred rights of human nature; as utterly inconsistent with the law of God, which requires us to love our neighbour as ourselves, and as totally irreconcilable with the spirit and principles of the gospel of Christ, which enjoin that ‘all things whatsoever ye would that men should do to you, do ye even so to them.’ Slavery creates a paradox in the moral system; it exhibits rational, accountable, and immortal beings in such circumstances as scarcely to leave them the power of moral action. It exhibits them as dependent on the will of others, whether they shall receive religious instruction; whether they shall know and worship the true God; whether they shall enjoy the ordinances of the gospel; whether they shall perform the duties and cherish the endearments of husbands and wives, parents and children, neighbours and friends; whether they shall preserve their chastity and purity, or regard the dictates of justice and humanity. Such are some of the consequences of slavery—consequences not imaginary, but which connect themselves with its very existence. The evils to which the slave is always exposed often take place in fact, and in their very worst degree and form; and where all of them do not take place, as we rejoice to say in many instances, through the influence of the principles of humanity and religion on

the mind of masters, they do not—still the slave is deprived of his natural right, degraded as a human being, and exposed to the danger of passing into the hands of a master who may inflict upon him all the hardships and injuries which inhumanity and avarice may suggest.

From this view of the consequences resulting from the practice into which Christian people have most inconsistently fallen, of enslaving a portion of their brethren of mankind—for ‘God hath made of one blood all nations of men to dwell on the face of the earth’—it is manifestly the duty of all Christians who enjoy the light of the present day, when the inconsistency of slavery, both with the dictates of humanity and religion, has been demonstrated, and is generally seen and acknowledged, to use their honest, earnest, and unwearied endeavours, to correct the errors of former times, and as speedily as possible to efface this blot on our holy religion, and to obtain the complete abolition of slavery throughout Christendom, and if possible throughout the world.

We rejoice that the Church to which we belong commenced as early as any other in this country, the good work of endeavouring to put an end to slavery, and that in the same work many of its members have ever since been, and now are, among the most active, vigorous, and efficient labourers. We do, indeed, tenderly sympathize with those portions of our Church and our country where the evil of slavery has been entailed upon them; where a great, and the most virtuous part of the community abhor slavery, and wish its extermination as sincerely as any others—but where the number of slaves, their ignorance, and their vicious habits generally, render an immediate and universal emancipation inconsistent alike with the safety and happiness of the master and the slave. With those who are thus circumstanced, we repeat that we tenderly sympathize. At the same time, we earnestly exhort them to continue, and if possible to increase their exertions to effect a total abolition of slavery. We exhort them to suffer no greater delay

to take place in this most interesting concern, than a regard to the public welfare truly and indispensably demands.

As our country has inflicted a most grievous injury on the unhappy Africans, by bringing them into slavery, we cannot indeed urge that we should add a second injury to the first, by emancipating them in such manner as that they will be likely to destroy themselves or others. But we do think, that our country ought to be governed in this matter by no other consideration than an honest and impartial regard to the happiness of the injured party, uninfluenced by the expense or inconvenience which such a regard may involve. We, therefore, warn all who belong to our denomination of Christians against unduly extending this plea of necessity; against making it a cover for the love and practice of slavery, or a pretence for not using efforts that are lawful and practicable, to extinguish this evil.

And we, at the same time, exhort others to forbear harsh censures, and uncharitable reflections on their brethren, who unhappily live among slaves whom they cannot immediately set free; but who, at the same time, are really using all their influence, and all their endeavours, to bring them into a state of freedom, as soon as a door for it can be safely opened.

Having thus expressed our views of slavery, and of the duty indispensably incumbent on all Christians to labour for its complete extinction, we proceed to recommend, and we do it with all the earnestness and solemnity which this momentous subject demands, a particular attention to the following points.

We recommend to all our people to patronize and encourage the Society lately formed, for colonizing in Africa, the land of their ancestors, the free people of colour in our country. We hope that much good may result from the plans and efforts of this Society. And while we exceedingly rejoice to have witnessed its origin and organization among the holders of slaves, as giving an unequivocal pledge of their desires to deliver themselves and their country from the calamity

of slavery; we hope that those portions of the American union, whose inhabitants are by a gracious providence more favourably circumstanced, will cordially, and liberally, and earnestly co-operate with their brethren, in bringing about the great end contemplated.

We recommend to all the members of our religious denomination, not only to permit, but to facilitate and encourage the instruction of their slaves in the principles and duties of the Christian religion; by granting them liberty to attend on the preaching of the gospel, when they have opportunity; by favouring the instruction of them in the Sabbath school, wherever those schools can be formed; and by giving them all other proper advantages for acquiring the knowledge of their duty both to God and to man. We are perfectly satisfied, that it is incumbent on all Christians to communicate religious instruction to those who are under their authority, so that the doing of this in the case before us, so far from operating, as some have apprehended that it might, as an incitement to insubordination and insurrection, would, on the contrary, operate as the most powerful means for the prevention of those evils.

We enjoin it on all church sessions and Presbyteries, under the care of this Assembly, to discountenance, and as far as possible to prevent all cruelty of whatever kind in the treatment of slaves; especially the cruelty of separating husband and wife, parents and children, and that which consists in selling slaves to those who will either themselves deprive these unhappy people of the blessings of the gospel, or who will transport them to places where the gospel is not proclaimed, or where it is forbidden to slaves to attend upon its institutions. And if it shall ever happen that a Christian professor in our communion shall sell a slave who is also in communion and good standing with our Church, contrary to his or her will, and inclination, it ought immediately to claim the particular attention of the proper church judicature; and unless there be such peculiar circumstances attending the case as can but seldom happen, it ought to be followed,

without delay by a suspension of the offender from all the privileges of the church, till he repent, and make all the reparation in his power to the injured party."

Resolved, That fifteen hundred copies of this report be printed or published in the newspapers.—*Minutes*, 1818, pp. 688, 691.

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